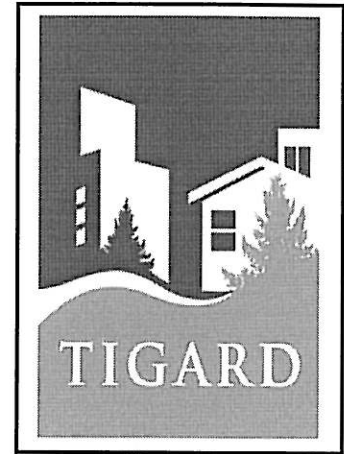




TIGARD CITY COUNCIL  
CITY CENTER DEVELOPMENT  
AGENCY AND LOCAL CONTRACT  
REVIEW BOARD MEETING  
AUGUST 28, 2007 6:30 p.m.

TIGARD CITY HALL  
13125 SW HALL BLVD.  
TIGARD, OR 97223



PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Citizen Communication items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are estimated; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. Business agenda items can be heard in any order after 7:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A  
TIGARD CITY COUNCIL, CITY CENTER DEVELOPMENT AGENCY AND  
LOCAL CONTRACT REVIEW BOARD MEETING  
AUGUST 28, 2007

6:30 PM

- STUDY SESSION
  - > City Manager Review – Human Resources Department
  - > Discussion on Downtown Plaza Location – Community Development Department
  - > Council Liaison Assignments – Administration Department

7:30 PM

1. BUSINESS MEETING
  - 1.1 Call to Order - City Council & Local Contract Review Board
  - 1.2 Roll Call
  - 1.3 Pledge of Allegiance
  - 1.4 Council Communications & Liaison Reports
  - 1.5 Call to Council and Staff for Non-Agenda Items
2. PROCLAMATIONS
  - 2.1 National Alcohol and Drug Addiction Recovery Month Proclamation
    - Mayor Dirksen
3. CITIZEN COMMUNICATION (Two Minutes or Less, Please)
  - Chamber of Commerce Representative – President Marjorie Meeks
  - Follow-up to Previous Citizen Communication
4. CONSENT AGENDA: *These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:*
  - 4.1 Approve Council Meeting Minutes: June 12, 19, 26 and July 10, 2007
  - 4.2 Re-Approve Tigard Library Policies
  - 4.3 Authorize the Mayor to Sign the King City Urban Service Agreement – Resolution No. 07-\_\_\_\_\_
  - 4.4 Approve Budget Amendment #5 to FY 2007-08 Budget Increasing Appropriations by \$5,000 in the Social Services/Community Events Budget within the Community Services Program to reflect the Costs Associated with Providing Funds to support Washington County's 10-Year Plan to End Homelessness Grant Application – Resolution No. 07-\_\_\_\_\_



*Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.*

5. ANNOUNCE THIRD ANNUAL FAMILY FEST
  - Staff Report: Administration Department

*Recess City Council Meeting (Motion by Council)*

*Convene City Center Development Agency (CCDA) Meeting: Approximately 7:55 p.m.*

- Call to Order: Chair Dirksen
  - Roll Call: Chair and Board Members of CCDA
- 
6. PUBLIC HEARING – SELECTION OF DOWNTOWN PLAZA LOCATION  
Written and oral testimony is solicited as the Council considers the location of a public plaza in Downtown.
    - a. Open Public Hearing
    - b. Declarations or Challenges
    - c. Staff Report: Community Development Department
    - d. Public Testimony
    - e. Staff Recommendation
    - f. CCDA Discussion
    - g. Close Public Hearing
    - h. CCDA Consideration: CCDA Resolution No. 07-\_\_\_\_\_

*Adjourn City Center Development Agency (CCDA) Meeting (Motion by CCDA)*

*Reconvene City Council Meeting: Approximately 9:00 p.m.*

7. INFORMATIONAL PUBLIC HEARING: READOPTION OF RESOLUTION NO. 07-50 FORMING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 44 (SW CHERRY DRIVE) WITH REVISED EXHIBITS
  - a. Open Public Hearing
  - b. Declarations or Challenges
  - c. Staff Report: Community Development Department
  - d. Public Testimony
  - e. Staff Recommendation
  - f. Council Discussion
  - g. Close Public Hearing
  - h. Council Consideration: Re-adoption of Resolution No. 07-50
8. UPDATE ON LIBRARY TECHNOLOGY RESOURCES
  - Staff Report: Library Department
9. UPDATE ON LIBRARY SUMMER READING PROGRAM
  - Staff Report: Library Department
10. COUNCIL LIAISON REPORTS
11. NON-AGENDA ITEMS
12. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.
13. ADJOURNMENT

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## City of Tigard Memorandum

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Agenda Item No. Study Session  
Meeting of Aug 28, 2007

**To:** Honorable Mayor and City Council  
**From:** Cathy Wheatley, City Recorder *Cathy*  
**Re:** City Council Appointment Matrix *cf*  
**Date:** August 15, 2007

City Council is scheduled to discuss the liaison appointments at its August 28, 2007, Study Session. New appointments are needed for those positions that had been assigned to former Councilor Harding.

Attached is the 2007 City Council Appointment Matrix. Council Harding's former appointments are shown in the light orange shading.

# City Council Appointment Matrix

2007

Committee Name	Primary Representative	Alternate Rep	Meeting Frequency	Time Expectation	Staff Liaison
<i>Budget Committee</i>	All Council		3-4 consecutive Monday evenings in March & April		Bob Sesnon
Reviews the proposed budget with citizen Committee members. Also meets periodically throughout the year on an as-needed basis during a Council meeting.					
<i>Budget Subcommittee- Social Services</i>	Councilor Woodruff		1 meeting in March		Bob Sesnon
Reviews applications submitted by social service agencies for contributions from the city. Consists of 1 Council member and 2 citizen-members of the Budget Committee.					
<i>Budget Subcommittee - Events</i>	All Council		Council Workshop or Study Session in March		Bob Sesnon
Reviews requests for contributions to community events.					
<i>City Center Development Agency</i>	All Council		As needed during Council sessions, ongoing	2 x/month for 1 hr. 2 hours month	Phil Nachbar
This committee's role is defined in the City Charter and is to assist the Urban Renewal Commission in developing and carrying out an Urban Renewal Plan.					
<i>Community Developmt Block Grant Policy Advisory Board</i>	Councilor Sherwood		2 <sup>nd</sup> Thursday of the month at 7 p.m.. Location rotates	Ongoing- appx. 2 hours month	Duane Roberts
By IGA, Washington Co. established the Community Development Policy Advisory Board (PAB) to represent the County Consortium, make recommendations to the County Commissioners on all matters pertaining to the CDBG program. The PAB includes a representative, generally an elected official, from the County and each of the 11 participating cities in the Co.					
<i>Intergovernmental Water Board (IWB)</i>	Councilor Buehner	Councilor Sherwood	2nd Wednesday of the month, 5:30 p.m., Tigard Water Building		Dennis Koellermeier
To make recommendations to the Tigard City Council on water issues and to carry out other responsibilities set forth in the IGA between Tigard, Durham, King City and the Tigard Water District. Each jurisdiction is represented by a member and one member is appointed at large.					



Committee Name	Primary Representative	Alternate Rep	Meeting Frequency	Time Expectation	Staff Liaison
<i>Mayor's Appointment Advisory Committee</i>	Jan – June 07 Councilor Woodruff	July – Dec 07 Councilor Harding	Jan – June 08 Councilor Sherwood	July – Dec 08 Councilor Buehner	Bob Roth
The Mayor & 1 Councilor (on a six-month rotation schedule) review applications and interview individuals interested in a board or committee appointment. Recommendations are forwarded to the Council for ratification.					
<i>Metropolitan Area Communications Commission</i>	Councilor Harding	Louis Sears Tigard IT Manager	6 times a year, usually Wednesday, 1-5 pm at MACC headquarters		Louis Sears Tigard IT Manager
MACC is the governing body that oversees the contracts for cable services and TVCTV. The Executive Committee meets separately to make recommendations to the Commission on administrative issues including budget and the review of the Executive Director.					
<i>Metro Policy Advisory Committee (MPAC)</i>	Mayor Richard Kidd (Forest Grove)	Mayor Dirksen	2 <sup>nd</sup> and 4 <sup>th</sup> Wednesday 5-7 p.m. at Metro	Ongoing 4 hours/month	Ron Bunch
MPAC it is made up of elected representatives are elected by Washington County cities. We may or may not have a representative elected to serve on this Committee.					
<i>Regional Water Providers Consortium</i>	Tom Woodruff	Sherwood	Quarterly meeting held at Metro		Dennis Koellermeier
Consortium is comprised of all water suppliers in the Portland metro area. The Councilor appointee to this group represents the city on regional policy issues. A subgroup is studying the potential Bull Run Regional Water Agency.					
<i>Transportation Financing Strategies Task Force</i>	Councilor Buehner		Ongoing- once every other month	1.5 hr. meetings	Gus Duenas
To explore feasible funding strategies and develop recommendations for transportation infrastructure needs, the Task Force is to spearhead efforts to further develop and implement strategies with the goal of funding a transportation improvement package.					
<i>Tualatin Basin Water Policy Steering Committee</i>	Councilor Woodruff	Councilor Sherwood	Monthly		Dennis Koellermeier
?					

Committee Name	Primary Representative	Alternate Rep	Meeting Frequency	Time Expectation	Staff Liaison
<i>Washington County Coordinating Committee</i>	Mayor Dirksen	Councilor Harding	2 <sup>nd</sup> Monday @ noon Beaverton City Hall	1-2 hours per month	Gus Duenas
WCCC reviews and comments on major land use and transportation issues and provides a forum for discussion which results in recommendations for a coordinated approach between jurisdictions. The Committee has specific authority on the Major Streets Transportation Improvement Program (MSTIP) and the Countywide Traffic Impact Fee (TIF) program. Representatives to JPAC and MPAC from the County and cities in the Co. will be on the policy body.					
<i>Tualatin Basin Natural Resource Coordinating Committee (TBNRCC)</i>	Councilor Harding		2 <sup>nd</sup> Monday of month @ 1pm at Beaverton Library	Ongoing, 1-2 hours month	Ron?
Provides policy direction for the completion of Metro's regional <b>Goal 5</b> program. The county and cities within the county are developing a common approach to Metro's Goal 5 program. Representatives include elected officials from the county and cities.					
<i>Westside Economic Alliance</i>	Mayor Dirksen	Councilor Sherwood	3 <sup>rd</sup> Thursday of month at 7:30 a.m. locations vary		Ron Bunch
The Alliance's primary purpose is to create an environment conducive to business growth. A proactive organization working to confront and influence decisions on policies and regulations impacting the economic vitality of the area.					
<i>Willamette River Water Coalition</i>	Councilor Woodruff	Councilor Sherwood	Monthly		Dennis Koellermeier

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# Proclamation

## National Alcohol and Drug Addiction Recovery Month September 2007

**WHEREAS**, 22.2 million people in the United States have faced a substance use disorder in the past year, and all deserve to experience the many benefits of recovery; and

**WHEREAS**, treatment reduces reported job problems, including incomplete work and absenteeism, by an average of 75 percent; and

**WHEREAS**, treatment is cost effective, with some measurements showing a benefit-to-cost ratio of up to 7:1, with substance use disorder treatment costing \$1,583 per person on average and having a monetary benefit to society of nearly \$11,487 for each person treated; and

**WHEREAS**, we must recognize the financial savings associated with treatment services, and ensure that such services are readily available to those who need assistance; and

**WHEREAS**, cost and insurance present obstacles to those who need access to treatment facilities and want to re-establish their place in the community; and

**WHEREAS**, it is critical that we educate our community members and local businesses that substance use disorders are a treatable, yet serious health care problem, and by taking steps to address it, as well as provide support for the families and children of those with these disorders, we can save both lives and dollars; and

**WHEREAS**, to help achieve this goal, the U.S. Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, and the White House Office of National Drug Control Policy; invite all residents of Tigard to participate in National Alcohol and Drug Addiction Recovery Month.

**NOW, THEREFORE BE IT RESOLVED THAT I**, Mayor Craig Dirksen of the City of Tigard, Oregon, do hereby proclaim the month of September 2007 as

### NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH

in Tigard and call upon the community to observe this month with appropriate programs, activities, and ceremonies supporting this year's theme, "Join the Voices of Recovery: Saving Lives, Saving Dollars."

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Tigard to be affixed.

\_\_\_\_\_  
Craig E. Dirksen, Mayor  
City of Tigard

**Attest:**

\_\_\_\_\_  
City Recorder





Agenda Item No. \_\_\_\_\_  
For Agenda of \_\_\_\_\_

**TIGARD CITY COUNCIL MEETING**  
**Meeting Minutes**  
**JUNE 12, 2007**

Mayor Dirksen called the meeting to order at 6:31 p.m.

- **EXECUTIVE SESSION:** The Tigard City Council went into Executive Session to discuss real property transaction negotiations, under ORS 192.660(2) (e); exempt public records, under ORS 192.660(2) (f); labor negotiations, under ORS 192.660(2) (d); and consultation with counsel regarding current litigation or litigation likely to be filed, under ORS 192.660 (h).

Executive Session concluded at 7:33 p.m.

1. **BUSINESS MEETING**

1.1 Mayor Dirksen called the Tigard City Council & Local Contract Review Board.

1.2 Roll Call:

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	
Councilor Buehner	✓	
Councilor Sherwood	✓	
Councilor Wilson	✓	
Councilor Woodruff	✓	

1.3 Pledge of Allegiance

1.4 and 1.5 Council Communications, Liaison Reports and Call for Non-Agenda

**Discussion/Comments**

Councilor Sherwood advised she and Councilor Wilson will give a short update on an item at the end of the City Council meeting; during non-agenda.

Mayor Dirksen reported he would provide a brief update on an action the Washington County Coordinating Committee took this last week during non-agenda.



Councilor Woodruff noted that Mayor Dirksen represented the City of Tigard in the Rose Parade along with other Oregon Mayors. Mayor Dirksen said that Portland Mayor Potter invited Mayors from all over the State of Oregon to walk in the parade; there were 73 mayors. Councilor Sherwood congratulated Mayor Dirksen who is now a Royal Rosarian.

City Manager Prosser advised there was an additional non-agenda item for the Council's consideration regarding real property.

### **Action or Follow-Up Required**

See Agenda Item No. 16 – Non-Agenda

## **2. CITIZEN COMMUNICATION**

### **Discussion/Comments**

- No one signed the sign-in sheet.
- Follow-up on Previous Citizen Communication: City Manager Prosser reported at the last meeting Council received a communication from a citizen who was interested in seeing if there were opportunities to change the amount of time that citizens have to review development applications. City officials will need to contact our legislative representation about this since the timelines are set by State law because of the 120-day rule. Another citizen suggested the City could send out notice of applications that are substantially complete. There is concern, however, that once the application is finally completed that this would require a second notice. For this reason, this is something that needs to be dealt with at the legislative level.
- Follow-Up – May 29, 2007 Fifth Tuesday meeting.

City Manager Prosser reviewed follow-up from the May 29, 2007 Fifth Tuesday meeting. There was discussion about the Burnham and Ash Streets traffic roundabout. The direction from the City Council at this time is to not proceed with the installation of the roundabout. There were concerns noted about the need for better communication with downtown business owners on this and other projects.

City Manager Prosser noted another item discussed at the Fifth Tuesday included concerns about street light outages. He has been in contact with PGE which has responsibility for street light maintenance. One street light noted by the citizens at the Fifth Tuesday had been out for quite some time because of "contractor error" on a construction project and it took longer than usual to get the light working again.

### **Action or Follow-Up Required**

- Follow-up with state legislators regarding the 120-day rule and how this impacts time for citizen review.
- Roundabout on Burnham Street will not proceed at this time.
- Staff shall develop better communication and outreach with downtown business owners.
- Staff will continue to monitor reports of street lights not working in the downtown area.

### **3. CONSENT AGENDA:**

- 3.1 Approve Council Minutes for April 10 and April 17, 2007
- 3.2 Receive and File:
  - 3.2. a Council Calendar
  - 3.2. b Tentative Agenda
- 3.3 Adopt Revisions to City Wide Personnel Policies  
RESOLUTION NO. 07-31 - ADOPTING REVISIONS TO THE CITY WIDE PERSONNEL POLICIES
- 3.4 Adopt FY 07-08 Downtown Implementation Strategy
- 3.5 Approve Amendment No. 1 to Intergovernmental Agreement for TriMet Transit Police Services
- 3.6 Approve Amendment No. 1 to City Manager Employment Agreement to provide for Paid Time Off as allowed by City Management, Supervisory, and Confidential Employee Personnel Policies.
- 3.7 Local Contract Review Board –
  - a. Award Contract for the Construction of Bull Mountain Road Right-Turn Lane Widening to D & D Concrete

### **Discussion/Comments**

Mayor Dirksen reviewed the consent agenda.

### **Action or Follow Up Required**

Motion by Councilor Wilson, seconded by Councilor Buehner, to approved the Consent Agenda.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

4. AUTHORIZE THE TRANSFER OF \$670,000 FROM THE PARKS CAPITAL FUND TO THE WATER CAPITAL IMPROVEMENT PROJECT FUND TO CONVERT THE CLUTE PROPERTY FROM A WATER ASSET TO A PARK ASSET

- a. Staff report was presented by Public Works Director Koellermeier. A copy of the staff report is on file in the City Recorder's office. The use of this parcel for transfer to the City for use as a potential park site has been long discussed by the Park and Recreation Advisory Board as well as the City Council. Authorization of the transfer by the City Council will bring this to fruition. This is a unique step because the Clute parcel was originally purchased as a water asset; therefore, the City is not the owner of such a parcel. We are a member of a consortium, the Intergovernmental Water Board (IWB). The City is the managing partner of IWB. The IWB reviewed and concurred with the decision to declare this property surplus and provide it to the City of Tigard for a park. The issue of the IWB was valuation and a new appraisal was requested to determine the worth of the asset. The asset is now worth \$700,000 with an outstanding issue – the home on the property has asbestos that needs to be removed. Ultimately, the home itself will need to be removed. From quotes received it is estimated the home represents about a \$30,000 liability, resulting in the final value of \$670,000.

Public Works Director Koellermeier advised that an alternate resolution had been prepared to allow that this transaction to occur over the next five years. Public Works Director Koellermeier reviewed the terms specified in the proposed alternate resolution.

b. Council Discussion

Councilor Woodruff noted, and Public Works Director Koellermeier confirmed, that one of the concerns was to make sure that the selling price would not go up; therefore, by purchasing this property now the price is locked in with the alternate resolution allowing the option of not spending all of the money at once. This will mean money will be available over the next few years, if needed, to purchase other properties.

Mayor Dirksen said he thought this was a good option as the City moves forward in this fiscal year with finite funds in looking for properties to purchase. The City is in negotiations for several pieces of land.

In response to a question from Councilor Wilson regarding whether the home would be demolished immediately, Public Works Director Koellermeier said the City will move fairly quickly in abating the nuisance. Once this part of the deal has been concluded, staff will deal with the abatement this summer. Mayor Dirksen said the house would be demolished forthwith because of the concerns regarding the presence of hazardous material. Public Works Director Koellermeier said a specialist will be brought in to remove the hazardous material. What is left of the shell will likely be used in a "learn to burn" exercise for Tualatin Valley Fire and Rescue.

Councilor Sherwood noted, for the benefit of the public, that this property was purchased for the access to the reservoir on Bull Mountain. Now, the City has decided to keep the property (through this purchase) for park property. Mayor Dirksen said this property is located on the north slope of Bull Mountain and is immediately adjacent to other properties that the City owns with the intention to consolidate property for a major park in the area. This piece of property will add to the acreage and provide some immediate access from City streets into the park property. Councilor Wilson added that the property is relatively flat and easily accessible to the neighborhood.

Councilor Woodruff asked for Public Works Director Koellermeier to identify how far west on Bull Mountain is this property when compared to other parks owned by the City has. Public Works Director Koellermeier said the property is immediately north of the parcels that the City just purchased and is adjacent to the other parcels that we own. The City has assembled almost 60 acres of property. Public Works Director Koellermeier confirmed Mayor Dirksen's statement that this park will eventually be about the size of Cook Park, located at the end of SW 154<sup>th</sup> Avenue.

c. Council Consideration: Resolution No. 07-32

Motion by Councilor Sherwood, seconded by Councilor Woodruff, to adopt Resolution No. 07-32 as revised.

RESOLUTION NO. 07-32 – A RESOLUTION AUTHORIZING THE TRANSFER OF \$670,000 FROM PARKS CAPITAL FUND TO THE WATER CAPITAL IMPROVEMENT PROJECT FUND IN ORDER TO CONVERT THE CLUTE PROPERTY FROM A WATER ASSET TO A PARK ASSET

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

5. LEGISLATIVE PUBLIC HEARING – ENTERTAINMENT ORIENTED USE CODE AMENDMENT (DCA2007-00001) TO ALLOW MAJOR EVENT ENTERTAINMENT IN RESIDENTIAL ZONES ON PUBLIC SCHOOL SITES

**REQUEST:** A Development Code Amendment to amend the Residential Zoning Districts Chapter (18.510) and Conditional Use Chapter (18.330) of the Tigard Development Code. The proposed amendment would allow Major Event Entertainment (athletic, cultural or entertainment events) as a conditional use on public school sites within residential zones.

**LOCATION:** Citywide. **ZONE:** All Residential Zones. **APPLICABLE REVIEW**

**CRITERIA:** Community Development Code Chapters 18.330, 18.380, 18.390 and 18.510; Comprehensive Plan Policies 1, 2 and 6; The Metro Urban Growth Management Plan Titles 1,

8 and 12; Metro Regional Framework Plan Policies 1.14 and 8.3; and Statewide Planning Goals 1, 2, and 10.

- a. Mayor Dirksen opened the public hearing.
- b. City Attorney Ramis reviewed a statement explaining the rules of procedure for hearing participants.

- c. Declarations or challenges:

Councilor Sherwood advised she personally knows the owners of Broadway Rose Theatre and has attended Theatre events.

- d. Staff Report was presented by Assistant Planner Caines. A copy is on file in the City Recorder's office. The purpose of the amendment is to allow major event entertainment uses within residential zones on public school sites. There are currently nine public school sites within Tigard City limits.

Associate Planner Caines said this amendment will allow anything under the major event use classification. Positive outcomes of allowing this amendment would mean that underutilized buildings on school sites could accommodate new uses. Activities would bring cultural experiences closer to the residential neighborhoods, which are their main patrons – possibly within walking distance. Some of the undesirable impacts could mean increased traffic within residential neighborhoods. This use would only be allowed as conditional use and any potential use would require a public hearing before the Tigard Hearings Officer. During that process, the Hearings Officer could place further restrictions on the use; i.e., limitation on hours of operation or the manner of operation.

Further restrictions by this Code amendment include: only allowed in existing buildings that are at least 10,000 square feet. Additions might be permitted of up to 50 percent of the original building square footage. Another change being proposed for the Code is to make sure that the new use meets all of the off-street parking requirements. All of the proposed amendments are in addition to standards already in place, which requires minimum lot size and increased setbacks that are usually 25 feet from the side property line and 30 feet from the front and rear property line.

On May 7, the Planning Commission held a public hearing to discuss the proposed Code amendment. There were two proponents of the amendment and/or Broadway Rose. One other speaker was neutral and asked questions regarding the agreements with schools for use of the facilities. The Planning Commission endorsed the proposed amendment, 8-0.

The options before the City Council are to approve the amendment as endorsed by the Planning Commission; approve with changes; or to deny the proposed amendments.

Councilor Wilson said he assumed this has the effect of legalizing a former use within a school that had taken place over a number years. He referred to informal events and his concern that these could be interpreted as Code violations. Would this mean this process would be required every time informal events occur? Associate Planner Caines said this was a good point in that there might be uses that do not occur on a regular basis. Councilor Wilson said he could see the logic to require a process for a regular use for events where tickets are sold and traffic would impact the neighborhood. He said he was concerned about the less formal one-time community uses.

Councilor Woodruff said that he thinks most people assume that activities are occurring at schools all of the time, often into the evening. This is all right because it is a school-sanctioned function as opposed to an outside group that is using the facility. Councilor Woodruff questioned if the proposed Code amendment makes the differentiation between sponsored school events and other events. In response to a question from Associate Planner Caines, Councilor Wilson clarified that there are school activities and those activities where the line gets blurred. For example, many athletic activities might not be OSAA sponsored. All are extra-curricular. Sometimes there might be paid school staff coaches while other times there might be only volunteers. Councilor Wilson said there is a whole degree of activities that happen and to attempt to draw a line designating when a permit is required might have some undesirable implications. Associate Planner Caines advised that during the comment period an issue was brought forward regarding soccer clubs, which fall under a different use classification (community recreation) and this is different from the major event entertainment use. Councilor Wilson questioned whether it might be better to expand the definition of "school use."

Community Development Director Coffee said the intent for the proposed amendments before the City Council was to take care of a major new activity at an existing school site that entails, typically, construction – major remodeling and creating a theater. This is the intent behind this proposal. This does not address the customary activities of a school or related to the school, that are recreational, or the occasional event such as a recital. City Attorney Ramis said that under the Code, the question would be whether the use is customarily an accessory use to a school use.

- e. Public Testimony: None.
- f. Staff Recommendation: Associate Planner Caines advised staff recommends approval of the amendment as proposed.
- g. Mayor Dirksen closed the public hearing.
- h. Council Consideration: Ordinance No. 07-12

Motion by Councilor Sherwood, seconded by Councilor Wilson, to adopt Ordinance No. 07-12.



ORDINANCE NO. 07-12 – AN ORDINANCE AMENDING THE TIGARD COMMUNITY DEVELOPMENT CODE (DCA 2007-00001) CHAPTERS 18.330 CONDITIONAL USE, AND 18.510 RESIDENTIAL ZONING DISTRICTS, SPECIFICALLY TO ALLOW MAJOR EVENT ENTERTAINMENT AS A CONDITIONAL USE ON PUBLIC SCHOOL SITES WITHIN ALL RESIDENTIAL ZONES AND ADD ADDITIONAL DEVELOPMENT STANDARDS FOR THE USE AND DECLARING AN EMERGENCY.

Council discussion on the motion: Councilor Woodruff commented that some people might ask how this action differs from an earlier proposal regarding historical uses. He said he does not think this proposal is the same; this is a different situation using schools rather than private property. While there are similarities, he said he wanted to point out that this is a different situation. There have been no community concerns about this proposal as had been brought forward when the other Code amendment was considered. He said he was in favor of this proposal.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

Councilor Sherwood commented that it is good to see that the Broadway Rose finally has a home in our community.

6. QUASI JUDICIAL PUBLIC HEARING – GOODLETT ANNEXATION (ZCA 2007-00002)

**PROPOSAL:** The applicant requests approval of annexation of one parcel (1.64 acres) and right-of-way on SW Bull Mountain Road containing a total of 1.74 acres to the City of Tigard. Property owner Goodlett Marshall Building and Development (Mike Goodlett) requests annexation of one parcel, with plans to divide it into 10 lots. One adjacent property was invited to join the annexation, but did not accept the invitation. The sole owner of the subject parcel has consented to the annexation. Note: All right-of-way on the portion of SW Bull Mountain Road adjacent to the subject property is already within City limits. While annexing the right-of-way is not necessary and the applicant has provided a legal description and map that over-describes the proposed annexation area, Washington County has indicated that an over-description is acceptable. **LOCATION:** 12300 SW Bull Mountain Road (South side of SW Bull Mountain Road, adjacent to east side of the Thornwood subdivision, east of SW 125th Avenue); WCTM 2S110BC, Tax Lot 1201. **CURRENT ZONE:** R-6 District (Residential 6 Units Per Acre). The purpose of the Washington County R-6 District is to implement the policies of the Comprehensive Plan for areas designated for residential development at no more than six (6) units per acre and no less than five (5) units per acre, except as specified by Section 300-2 or Section 303-6. The intent of the R-6 District is to provide the opportunity for more flexibility in development than is allowed in the R-5 District. The average lot area for single family detached dwellings within a proposed development shall be no less than 4,500 square feet and the minimum lot area shall be 4,000 square feet. The minimum lot area for single family attached units shall be 3,500 square feet. **EQUIVALENT CITY ZONE:** R-7: Medium-Density Residential District. The City of Tigard R-7 zoning district is designed to accommodate attached single-family homes, detached single-family homes with or without accessory residential units, at a minimum lot size of 5,000 square feet, and duplexes, at a minimum lot size of 10,000 square feet. Mobile home parks and

subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally. Note: In a subdivision, lot size may be averaged to allow lots less than the minimum lot size allowed in the underlying zoning district as long as the average lot area for all lots is not less than allowed by the underlying zoning district. No lot created under this provision shall be less than 80% of the minimum lot size allowed in the underlying zoning district. **APPLICABLE REVIEW CRITERIA:** ORS Chapter 222, Metro Code Chapter 3.09, Comprehensive Plan Policies 2 and 10, Community Development Code Chapters 18.320 and 18.390.

- a. Mayor Dirksen opened the public hearing.
- b. City Attorney Ramis advised of the rules of procedure.
- c. Declarations or Challenges
  - Do any members of Council wish to report any ex parte contact or information gained outside the hearing, including any site visits?  
  
Councilor Buehner advised she is very familiar with the site.
  - Have all members familiarized themselves with the application?  
  
Council members affirmed they had familiarized themselves with the application.
  - Are there any challenges from the audience pertaining to the Council's jurisdiction to hear this matter or is there a challenge on the participation of any member of the Council?

There were no challenges.

- d. Staff report was reviewed by Assistant Planner Eng. A copy is on file in the City Recorder's office. The annexation has one petitioner, Goodlett Marshall Building and Development Company (owner Michael Goodlett). The annexation request is for one parcel of land and right of way to the City of Tigard. The subject parcel is 1.64 acres and right of way is .10 of an acre, totaling 1.74 acres. The right of way is already in the City from previous annexation and the application just happened to include it in the application; this is acceptable. Associate Planner Eng described the location of the territory. The parcel is zoned Washington County R-6 and upon annexation would convert to the City of Tigard's R-7. The proposed territory is contiguous to the City on three sides. ORS Chapter 222 provides for annexation of contiguous territory. Other review criteria are in Metro Code Chapter 3.09, City of Tigard Comprehensive Plan Policies 2 and 10, and Community Development Code Chapter 18.320 and 18.390. Staff notified all affected agencies and interested parties and received no comments or objections to the annexation.

If the application is approved, the applicant plans to apply for a ten-lot subdivision for single-family homes. Staff reviewed the annexation proposal for compliance with the applicable review criteria and found that the proposal meets the criteria.



The proposed territory is within the Urban Growth Boundary. It is contiguous to City limits and urban services are available to serve the territory.

e. Public Testimony

- Proponents:

Applicant

Steve Bloomquist, Harris McMonagle, 12555 SW Hall Boulevard, Tigard, Oregon, advised he was representing the applicant, Michael Goodlett. He said he had reviewed the staff report and they accepted the City and staff findings. They requested that the parcel be annexed into the City of Tigard.

- Opponents

Paul Whitney, 14550 SW 120<sup>th</sup> Place, Tigard, OR 97224, advised he has lived on Bull Mountain Road since 1980 and recalled how the surrounding property used to be. He said had been an elected official and served on the Tigard Water Board when the new water facility was proposed. He advocated that 1 percent be set aside for art for Tigard beautification; however, this did not go forward. He said he still advocates for beautification of Tigard and Bull Mountain Road. Mr. Whitney said he has testified before the City Council before on the Aspen Ridge development developed by OTAK. He was pleased that OTAK listened to some of the things he had to say and there is a nice fence and maintained plantings in front of the development that adds to the livability of the neighborhood.

Mr. Whitney said he has also signed some petitions asking for similar items for another subdivision, which "fell on deaf ears" and now there are weeds in front of the development. He asked that, if this is annexed, the developer be required to manage the land that is technically owned by the City of Tigard; that is, to come up with a plan for vegetation and implement that plan to help keep Tigard a beautiful, livable place along Bull Mountain Road.

He asked that the City Council look at the traffic situation on Bull Mountain Road. He noted earlier efforts to call attention to traffic concerns were not addressed. He said he consulted a traffic engineer who said he needed to figure out how much time it takes to afford a safe line of sight. Mr. Whitney said about five seconds are available to make the decision whether to turn onto Bull Mountain Road, which he said "is cutting it pretty close." The traffic engineer advised Mr. Whitney that he should ask for an adequate level of service that meets City Code. The level of service he understands is defined by how long it takes for a person to find an opening "that you jump into" plus those five seconds that you have to look. He measured it on several mornings and it's about an average of about 40 seconds; this is an "E" level of service and does not meet Code. He acknowledged he was not sure if he was measuring the

timing correctly because he did not know the protocol that must be applied for such a measurement.

Mr. Whitney said when he first moved to this location it was sort of a county “wagon road” where he did not worry too much about entering onto Bull Mountain Road; however, he is now starting to worry. He said he hopes the developer is required to do a good traffic study to determine level of service. The traffic situation on Bull Mountain Road is sort of a “death by a thousand cuts” – each little subdivision being added is cumulatively creating an impact. He said he hopes that this cumulative effect could be reviewed.

Mr. Whitney said he would like to know if the limit has been exceeded in terms of level of service and safe line of sight. How close are we to the limit, he asked.

In summary, Mr. Whitney said he hoped the developer would be required to keep Tigard beautiful: have a good planting plan and implement it; plus how close we are to meeting City Code on traffic. He said if the City’s answer is, “We don’t really care...I’d like to know that, too.”

Mayor Dirksen commented to Mr. Whitney that “...we do care.” Mayor Dirksen advised that most of Mr. Whitney’s concerns need to be reviewed at the time the development application is processed. The City, as a whole, considers the impact of development on roads to determine how large the roads need to be when full development/build out takes place. The City has a Transportation System Plan that was developed to gauge: What do all of the streets and roads in Tigard need to look like when all the properties have been developed. Levels of service are determined and if a road drops below a certain grade level, this could be the grounds for denying a development until that is taken care of. Mayor Dirksen said it was his understanding that Bull Mountain Road still grades “fairly well,” with averages taken for certain times of day.

Councilor Buehner noted that Washington County has jurisdiction over Bull Mountain Road. This limits the City’s ability to make improvements on the road other than through development at this point in time. However, she said she thinks there is probably going to be some discussion about the City taking jurisdiction of that road – at least the part that is in the City.

- Rebuttal/Final argument by applicant

Mr. Steve Bloomquist advised that with regard to traffic, they would not be accessing Bull Mountain; they will be accessing off of Winter View Drive. He said he thought this would be safer for the development and Washington County will be requiring this. Therefore, he said he did not know how a traffic study could be required. These will be development and Code considerations to be addressed when the land use application is submitted to the City. They will address the traffic issue as well as they can; he said he didn’t believe they would be required to do a traffic study because they would not be accessing Bull

Mountain Road directly, but added that they will certainly look at that. With regard to vegetation along Bull Mountain Road, he said they will be dedicating right of way to the County. He said they will likely be putting up fences in the rear yards of the properties and didn't know about how it would be possible to require property owners to maintain the vegetation. He said there will be street trees and planter strips and sidewalks that will match the improvements along the Thornwood development. There will be 37-feet of right of way from the centerline to this site. He said he believes the road will be wider and look nicer; however, he did not believe they would be looking at managing vegetation along Bull Mountain Road.

In response to a question from Councilor Sherwood, Mayor Dirksen confirmed that even though the property is annexing to the City of Tigard, the right of way will be dedicated to the County because Bull Mountain Road is still part of the County. Councilor Sherwood pointed out that right-of-way maintenance is a problem within the City of Tigard. She asked whether CC&R's for a neighborhood require that the area be maintained? Mayor Dirksen noted that City Code requires maintenance once the right of way is dedicated and the development is completed; the property owners adjacent to a right of way are liable for maintenance of the area. Tigard has Code Enforcement that is applied within the constraints of the City's staffing. The Mayor noted that it is very common at this time of year for people to be cited for noxious vegetation. The Council discussed areas that are well kept because of active homeowner associations. In small subdivisions it falls to the individual property owners to take care of the rear of the lots. Mayor Dirksen noted that if this property is developed inside the City, there are regulations that require maintenance along the right of way.

Mr. Bloomquist said it would be up to the individual homeowner to maintain the right of way. Councilor Wilson said there are things the developer could do to make it easier for the property owner to take care of maintenance; i.e., a gate on the fence or irrigation in the right of way, etc.

- f. Staff Recommendation: Assistant Planner Eng advised that staff recommends approval of ZCA 2007-00002 by adoption of the proposed ordinance.

- g. Council questions/discussion:

Councilor Woodruff noted that the current zoning was R-6, which is compatible with R-7 in Tigard. Assistant Planner Eng clarified that the difference between these two designations is that R-7 requires a minimum lot size of 5,000 square feet while the R-6 in Washington County requires a minimum lot size of 4,000 square feet because of how the right-of-way area is calculated. Within the City of Tigard you are able to average lot sizes in a subdivision as long as all of the lots within a subdivision equal 5,000 square feet. In Washington County, lots may be 3,500 square feet. Overall, the lot sizes in Washington County are smaller than the lot sizes in the City of Tigard.

Mayor Dirksen allowed testimony from Tim Pepper, 14550 SW 120<sup>th</sup> Place, Tigard, Oregon 97224. He referred to Councilor Wilson's comment about things the developer could do to make it easier for property owners to maintain the right of way. He said this is the crux of the problem; the developer does not necessarily have motivation to make it easier. He noted this is the problem with his development – there are weeds along the right of way; however, he and his neighbors are working on establishing the landscaping. He said the City has the opportunity right now to provide this motivation to the developers. Councilor Wilson advised that this is not a development application; rather, it's an application for annexation. Councilor Wilson said his previous comment was simply to point out how the developer has great control over how the properties are built. Tigard has Codes and it only has the authority to enforce the Codes; therefore, the developer does have incentive to listen to neighbors' concerns and to attempt to address them before it gets to the public hearing. Most developers are willing to listen and make some modifications to address the concerns. Mr. Pepper said that only about half of the developers appear to have had the motivation to address the concerns; it appears the most motivation has to do with money. Maintenance of the right of way is not necessarily something a new homeowner thinks about. Mayor Dirksen said it is up to the property owner to keep it nice looking. Mr. Pepper offered that this is something the City could keep in mind since the road might eventually be under the City's jurisdiction.

- h. Mayor Dirksen closed the public hearing.
- i. Council Discussion and Consideration: Ordinance No. 07-13

Motion by Councilor Sherwood, seconded by Councilor Buehner, to adopt Ordinance No. 07-13.

ORDINANCE 07-13 – AN ORDINANCE ANNEXING 1.74 ACRES, APPROVING THE GOODLETT ANNEXATION (ZCA2006-00002) AND WITHDRAWING PROPERTY FROM THE TIGARD WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT AND WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT.

Councilor Woodruff said he believes this continues to be consistent with the City's annexation policies of encouraging people to join the City and that this is a voluntary process.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

7. PUBLIC HEARING – CONSIDER A RESOLUTION CERTIFYING THE CITY PROVIDES SERVICES QUALIFYING FOR STATE SHARED REVENUES

- a. Mayor Dirksen opened the public hearing.
- b. Finance Director Seson reviewed the staff report. A copy is on file in the City Recorder's office.
- c. Public Testimony: None.
- d. Staff recommendation was to approve the proposed resolution.
- e. Mayor Dirksen closed the public hearing.
- f. Council Consideration: Resolution No. 07- 33

Motion by Councilor Buehner, seconded by Councilor Woodruff, to adopt Resolution No. 07-33.

RESOLUTION NO. 07-33 – A RESOLUTION CERTIFYING THAT THE CITY OF TIGARD PROVIDES SERVICES QUALIFYING FOR STATE SHARE REVENUES

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

8. PUBLIC HEARING - CONSIDER A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE SHARED REVENUES

- a. Mayor Dirksen opened the public hearing.
- b. Finance Director Sesnon reviewed the staff report. A copy is on file in the City Recorder's office.
- c. Public Testimony: None.
- d. Staff recommendation was to approve the proposed resolution.
- e. Mayor Dirksen closed the public hearing.

- f. Council Consideration: Resolution No. 07-34

Motion by Councilor Woodruff, seconded by Councilor Wilson, to adopt Resolution No. 07-34.

RESOLUTION NO. 07-34 – A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

9. PUBLIC HEARING - ADOPT COMMUNITY INVESTMENT PLAN FOR 2007-2012

- a. Mayor Dirksen opened the public hearing
- b. Community Development Director Coffee presented the staff report. A copy is on file in the City Recorder's office.

The 2007-12 Community Investment Plan (CIP) was an effort for the first time to draw all of the City's capital projects together in five-year plan. The main emphasis before the City Council is the first year of the plan, which is part of the budget process under consideration by the Council. Community Development Director Coffee noted that, as a first-year effort, they attempted to catalog everything. Next year the Plan will cover the five-year period 2008-13 with a year being added so the City Council will always have a five-year picture of the plans for capital investment. The Budget Committee reviewed the Community Investment Plan on May 12 and recommended that the City Council adopt it. There was discussion of limited funding available for street projects – the staff report has an amended street project list that is recommended for adoption tonight along with CIP.

Mayor Dirksen complimented staff on the process and the resulting five-year CIP. This process has been the smoothest he has seen for a CIP to move through with a greater opportunity for input in a format that is easier to understand. Community Development Director Coffee said a lot of the credit for the CIP goes to the City's department heads, City Engineer Duenas, Public Works Director Koellermeier, Community Development Management Analyst Collins, and Finance Management Analyst Wareing. In response to a question from Councilor Woodruff, Community Development Director Coffee advised that the CIP is available for public review on the web site.

Councilor Sherwood noted that she, in response to concerns expressed at a recent Fifth Tuesday meeting, accessed the City's web site and was able to locate information



on the CIP and the downtown improvement plan fairly easily. Community Development Director Coffee advised the CIP would be also be available for viewing in the Library and City Hall. He encouraged people to call staff if they are having any difficulty navigating the City's web site. Councilor Woodruff asked if someone could do a search to find projects at specific locations. Community Development Director Coffee said he would work with IT staff. City Manager Prosser advised the website does have a search function for the entire site. However, if there is a way to make it easier to find information, the staff will do it. Councilor Buehner noted she has been able to find this information on the web site.

- c. Public Testimony: None.
- d. Staff Recommendation: Finance Director Sesnon recommended the City Council approve the CIP for the Fiscal Year 2007/8 as presented.
- e. Mayor Dirksen closed the public hearing.
- f. Council Consideration:

Motion by Councilor Sherwood, seconded by Councilor Buehner, to adopt the Community Investment Plan for 2007-2012 with the Amended Street CIP for 2007-08 as recommended by the Budget Committee.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

10. CONSIDER A RESOLUTION ADOPTING THE CITYWIDE MASTER FEES AND CHARGES SCHEDULE, WHICH REPLACES RESOLUTION NO. 06-36 AND ALL SUBSEQUENT AMENDMENTS TO DATE

- a. Finance Director Sesnon presented the staff report. A copy is on file in the City Recorder's office.
- b. Council Consideration: Resolution No. 07-35

Motion Councilor Buehner, seconded by Councilor Wilson, to adopt Resolution No. 07-35.

RESOLUTION NO. 07-35 – A RESOLUTION ADOPTING THE CITYWIDE MASTER FEES AND CHARGES SCHEDULE WHICH REPLACES RESOLUTION NO. 06-36 AND ALL SUBSEQUENT AMENDMENTS TO DATE

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

11. PUBLIC HEARING - CONSIDER A RESOLUTION OF THE CITY OF TIGARD ADOPTING THE BUDGET, MAKING APPROPRIATIONS, DECLARING THE AD VALOREM TAX LEVY, AND CLASSIFYING THE LEVY AS PROVIDED BY ORS 310.060 (2) FOR FISCAL YEAR 2007-2008

- a. Mayor Dirksen opened the public hearing.
- b. Finance Director Sesnon presented the staff report. A copy is on file in the City Recorder's office. In addition, a PowerPoint presentation was reviewed detailing the highlights of this year's budget process. A copy is on file in the City Recorder's office.
- c. Public Testimony: None
- d. Staff Recommendation: Finance Director Sesnon recommended the City Council adopt the 2007-08 budget as presented.
- e. Council Discussion:

Councilor Sherwood commented that she enjoyed the budget sessions this year and noted her appreciation for being able to wrap up the process in three sessions.



Councilor Buehner asked if the percentage of the General Fund allocated to Police and Library fairly stable? Finance Director Sesnon advised the Library went up fairly substantially this year because the levy was approved. Inflation always has its effects. Finance Director Sesnon noted the base percentage of the General Fund for these two areas have remained relative the same.

- f. Mayor Dirksen closed the public hearing.
- g. Council Consideration: Resolution No. 07-36

Councilor Buehner commented on the budget process and as her first year as an official member of the Budget Committee, she was impressed with the good preparation and efficient presentations by all the departments. Motion by Councilor Wilson, seconded by Councilor Woodruff, to adopt Resolution No. 07-36.

RESOLUTION NO. 07-36 – A RESOLUTION OF THE CITY OF TIGARD ADOPTING THE BUDGET, MAKING APPROPRIATIONS , DECLARING THE AD VALOREM TAX LEVY, AND CLASSIFYING THE LEVY AS PROVIDED BY ORS 310.060(2) FOR FISCAL YEAR 2007-08

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

12. CONSIDER AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF TIGARD AND THE CITY CENTER DEVELOPMENT AGENCY TO LOAN FUNDS FOR CAPITAL IMPROVEMENTS

- a. Finance Director Sesnon presented the staff report. A copy is on file in the City Recorder's office. The proposed Intergovernmental Agreement (IGA) would allow the Tigard City Center Development Agency to borrow funds from the City of Tigard to construct catalyst projects in the Urban Renewal District. Tax increment revenues will be used to repay this debt as the Agency is able to do so.
- b. Council Discussion

Councilor Woodruff commented that there is really no other choice but to enter into this IGA; Finance Director Sesnon concurred noting this is how the law is set up for such a transaction.
- c. Council Consideration

Motion by Councilor Sherwood, seconded by Councilor Buehner, to approve the proposed Intergovernmental Agreement.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

Note: Meeting agenda was rearranged. The next items to be reviewed by the City Council were Item Nos. 15 and 16 – Council Liaison Reports and Tigard City Council Non Agenda:

▪ **Get Centered – Port Moody, Canada**

Councilor Sherwood and Councilor Wilson reported on a recent trip they took to Vancouver, British Columbia, which was a “Get Centered” function sponsored by Metro. The purpose was to relate to how more densely developed areas within Town Centers could be managed and developed. Vancouver is about the size of the City of Portland and, while Councilor Sherwood and Councilor Wilson didn’t relate to the development in the downtown area of Vancouver, there were neighborhoods that represented a good model. One of those areas was Port Moody – it had a village feel yet also had several high-rise condominium structures. Councilor Sherwood and Councilor Wilson described the area and the type of development occurring, which might translate well to the City of Tigard’s urban renewal district. Councilor Sherwood and Councilor Wilson proposed that it would be worthwhile to invite members of the City Center Advisory Commission and the development community to tour this area with the City Council. After the discussion, the Mayor and City Council agreed to explore the idea of arranging a trip as proposed by Councilor Sherwood and Councilor Wilson to Port Moody.

▪ **Washington County Coordinating Committee (WCCC)**

Mayor Dirksen reported on recent meetings of the WCCC whereby county-wide transportation issues are under review. Another Major Streets Transportation Improvement Plan (MSTIP) funding proposal is under consideration for county arterials and collectors (selected for funding on a case-by-case basis). Mayor Dirksen reviewed the discussions that have taken place about how to identify and prioritize the roads and set the amount of funding that will be needed. The entire list of projects for the next 25 years is about \$4 billion; with only \$2 billion available. Another workshop is scheduled next month. The MSTIP 4 bond measure is now targeted for the November 2008 ballot.

Councilor Harding was the alternate member to the WCCC; Mayor Dirksen requested that a replacement be selected to replace her. This will be discussed at a future agenda.

▪ **Presentations to the Rotary Club and the Park and Recreation Advisory Board (PRAB)**

Councilor Woodruff reported on a presentation he and Public Works Director Koellermeier made to the Tigard Rotary Club about water issues; i.e., long-term planning and conservation. This is part of the effort to educate residents about water.

On June 11 Councilor Woodruff attended the PRAB meeting. The discussion included the Comprehensive Plan and the recreation pilot project that was not funded by the Budget Committee. PRAB members are adamant that they want to move ahead and make a recommendation to the City Council about putting an operating levy on the November 2008 ballot for a full-scale recreation program.

## ▪ Real Property Acquisition

City Manager Prosser reported that a couple of weeks ago, staff brought a purchase agreement to the City Council to purchase two lots in Ash Creek Estates. The developer is donating 4.5 acres of natural area to the City and there were two additional lots the City was considering purchasing. The negotiated purchase price for the two lots was the same as the appraised price: \$385,000. City Council noted some concern about the price. In addition Mr. John Frewing also had expressed concern about the price, the steepness of the lots, and how much of the land would be used for park purposes. City Council directed staff to go back and talk to the property owner to negotiate a lesser price. Public Works Director Koellermeier talked to the owner who agreed to lower the price by \$20,000 per lot for a total reduction of \$40,000. The price for these two lots is now \$345,000. Photos of the lots were reviewed by the City Council. There is approximately 7,800 square feet of level area available once some small retaining walls are installed. Staff has put together a rough concept plan showing how a tot lot park and half-court basketball playing area could be constructed along with benches and viewing areas. One of the most important aspects is that this will provide a trail head and easy access to the 4.5 acres of donated open space.

Councilor Woodruff said he appreciated the work by staff for further negotiation with the owner and providing the City Council with more information to assist in making the decision. Mayor Dirksen said he walked the area under consideration for purchase. He acknowledged it was a "rough parcel" and recognized that it might be difficult for someone to envision how it could be utilized. However, the information provided by staff demonstrates how the area can be used. Mayor Dirksen said the parcel being donated is beautiful and represents a good opportunity for the residents to access and appreciate this area. Street parking is available and the property will be accessible by pedestrians.

Motion by Councilor Buehner, seconded by Councilor Sherwood, to direct staff to prepare and execute purchase and sale agreement documents for the designated property on 74<sup>th</sup>, Lots 28 and 29 of Ash Creek Estates for a purchase price of \$345,000 and that staff should take all steps necessary to effect the sale.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

Mayor Dirksen commented that Public Works Director Koellermeier did a great job in providing additional information and deeper background on this matter while saving the City \$40,000.

***Recess City Council Meeting adjourned at 10:00 p.m.***

*City Center Development Agency (CCDA) Meeting Convened at 10:01 p.m.*

- Chair Dirksen called the meeting to order.
  - Roll Call: Chair Dirksen, Directors Buehner, Sherwood, Wilson, and Woodruff
13. CONSIDER AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF TIGARD AND THE CITY CENTER DEVELOPMENT AGENCY (CCDA) TO LOAN FUNDS FOR CAPITAL IMPROVEMENTS

a. Finance Director Sesnon presented the staff report. A copy is on file in the City Recorder's office. (City Recorder's note: This is related to Agenda Item No. 12 above.)

b. CCDA Consideration:

Motion by Director Buehner, seconded by Director Woodruff, to approve the proposed intergovernmental agreement between the City of Tigard and the City Center Development Agency to loan funds for capital improvements.

The motion was approved by a unanimous vote of City Center Development Agency members present.

Chair Dirksen	Yes
Director Buehner	Yes
Director Wilson	Yes
Director Sherwood	Yes
Director Woodruff	Yes

14. ADOPT CITY CENTER DEVELOPMENT AGENCY (CCDA) BUDGET

a. Chair Dirksen opened the public hearing.

b. Finance Director Sesnon presented the staff report. A copy is on file in the City Recorder's office. This is the first annual budget of the City Center Development Agency for a total of \$1,185,000 (FY 2007-08).

c. Public Testimony: None

d. Chair Dirksen closed the public hearing.

e. Finance Director Sesnon advised staff recommends that the City Center Development Agency approve the proposed resolution.

f. City Center Development Agency comments:

Director Buehner, for the benefit of the viewing audience, advised that a good discussion about this proposed budget took place during the Budget Committee meetings. Mayor Dirksen added that he was pleased about the amount of funds that were made available for the City Center Development Agency's budget for projects this first year.

- g. City Center Development Agency Consideration: CCDA Resolution No. 07-02

Motion by Director Wilson, seconded by Director Sherwood, to adopt CCDA Resolution No. 07-01.

CITY CENTER DEVELOPMENT AGENCY RESOLUTION NO. 07-02 – A RESOLUTION ADOPTING THE FISCAL YEAR 2007-08 BUDGET, MAKING APPROPRIATIONS, AND IMPOSING AND CATEGORIZING TAXES

The motion was approved by a unanimous vote of City Center Development Agency members present.

Chair Dirksen	Yes
Director Buehner	Yes
Director Wilson	Yes
Director Sherwood	Yes
Director Woodruff	Yes

> ADJOURNMENT

Motion by Director Sherwood, seconded by Director Woodruff, to adjourn the City Center Development Agency meeting at 10:05 p.m.

The motion was approved by a unanimous vote of the City Center Development Agency members present.

Chair Dirksen	Yes
Director Buehner	Yes
Director Wilson	Yes
Director Sherwood	Yes
Director Woodruff	Yes

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Catherine Wheatley, City Recorder

Attest:

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Mayor/CCDA Chair, City of Tigard

Date: \_\_\_\_\_

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Agenda Item No. \_\_\_\_\_  
 For Agenda of \_\_\_\_\_



***Tigard City Council Meeting Minutes***

Date: June 19, 2007  
 Time: 6:30 p.m.  
 Place: Tigard City Hall, 13125 SW Hall Boulevard  
 Tigard, Oregon  
 Attending: Mayor Craig Dirksen Presiding  
 Councilor Gretchen Buehner  
 Councilor Nick Wilson  
 Councilor Sydney Sherwood  
 Councilor Tom Woodruff  
 Absent: --

Agenda Item	Discussion & Comments	Action Items (follow up)
Workshop Meeting	<p>1.1 Mayor Dirksen called the City Council to Order at 6:33 p.m.</p> <p>1.2 Council Present: Mayor Dirksen, Councilors Buehner, Sherwood, Wilson and Woodruff.</p> <p>1.3 Pledge of Allegiance</p> <p>1.4 Council Communications &amp; Liaison Reports There were none.</p> <p>1.5 Call to Council and Staff for Non-Agenda Items</p> <p>City Manager Prosser said there were two items to discuss at the end of the meeting - the National League of Cities Award and an Executive Session.</p>	
2. Joint Meeting with the Intergovernmental Water Board	<p>Public Works Director Koellermeier reported that he had three items for discussion. He announced that the third ASR well, which has been drilled to a depth of 998 feet, shows early indications of being a very good well.</p> <p>He reported that the Willamette River Water Coalition Board voted last evening to accept a settlement with Water Watch and the Water</p>	Councilor Buehner asked for legal review on liability issues.

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Resources Department over our extension of the water rights on the Willamette River which guarantees access to this water through the year 2047. Councilor Sherwood noted using Willamette River Water would take a vote of the people. Public Works Director Koellermeier said that condition still exists; the option is just being kept open.</p> <p>Public Works Director Koellermeier introduced Clean Water Services Water Supply Project Manager Tom VanderPlaat who presented a PowerPoint on the transfer process for the Hagg Lake Dam Raise Project.</p> <p>Mr.VanderPlaat said the Hagg Lake Project is currently a federal facility but the government is looking at transferring it to local control. This would remove a substantial amount of cost and time on potential projects such as raising the dam level to help meet the future demand for water in the Tualatin Basin. He said title transfer means ownership of Hagg Lake, the dam, buildings, land, easements, rights, legal liability, regulatory requirements and other elements.</p> <p>Public Works Director Koellermeier said a decision is before the Council whether or not to remain in the Tualatin Basin Water Supply project. He distributed a third amendment to the Joint Funding Agreement for IWRM Water Supply Feasibility Study for Council review. This amendment commits Tigard and the other partners through the next project phase, including the title transfer of Hagg Lake.</p> <p>Public Works Director Koellermeier said he had concerns about spending more money on a project that the City has yet to decide whether to remain in or not. He said if the City Council or IWB takes no action it would eliminate them as participants. He said that while the amendment funding the next project phase requires commitment from Tigard in July or August, the first payment would likely not be due until November. If the City decides not to go forward within that time period they could terminate before the payment is made</p>	



Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>and prior shares would be distributed among the remaining partners.</p> <p>Public Works Director Koellermeier said the staff recommendation is to remain in the partnership at this time, especially if this can create a west side water source.</p> <p>Mayor Dirksen said Tigard would have no interest in the title transfer to local control if there is no dam raise.</p> <p>Councilor Woodruff asked if the City could participate on a quarter-by-quarter basis. Public Works Director Koellermeier said that it could.</p> <p>In response to a question from Councilor Sherwood, Mr. Koellermeier said this partnership alone will not meet Tigard's overall water needs.</p> <p>Mayor Dirksen said that Tigard does not have an opportunity to get all of its water from the other primary choice (partnering with Lake Oswego). Mr. Koellermeier agreed, saying, "The only option that would meet all of Tigard's future needs from a single source is the Willamette River."</p> <p>Councilor Buehner said she would feel uncomfortable making a decision without advice from a lawyer regarding the transfer of legal liability. She said she was surprised that other jurisdictions have not yet sought this information. She asked if cities would be indemnified for any liability for things occurring prior to the transfer. Mr. Koellermeier said he would get an opinion from the City Attorney on whether it could be negotiated into the contract.</p>	
3. Receive Update on Highway 99W Corridor Improvement and Management Plan	<p>Mayor Dirksen noted that ODOT Region 1 General Manager, Jason Tell was in the audience for the next item, Agenda Item No. 4, and he invited him to join in this discussion.</p> <p>Engineer Duenas thanked the citizens for their involvement in the Highway 99W Corridor Study Project which is now at a decision phase. He gave</p>	<p>City Manager Prosser will ask Finance and Information Services Department Director Sesnon to research how much payroll tax is paid to Tri-Met from the Tigard area.</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>a PowerPoint presentation and discussed the project timeline and goals, which include:</p> <ul style="list-style-type: none"> <li>• Identify transportation and land use needs along the corridor.</li> <li>• Develop solutions for 99W that help to accommodate regional and local travel.</li> <li>• Develop solutions for Highway 99W that balance the different modes of travel and provide for direct, safe and efficient connections between the different modes.</li> <li>• Reduce reliance on the motor vehicle as a mode of travel using Highway 99</li> <li>• Ensure that solutions enhance the livability of the City of Tigard and the surrounding area.</li> </ul> <p>A copy of the PowerPoint presentation is on file in the City Recorder's Office.</p> <p>Mr. Duenas introduced the three concepts, noting that each alternative comes with trade-offs. The three concepts are:</p> <ul style="list-style-type: none"> <li>• Concept A – Partial widening (Metro Regional Transportation Plan calls for widening to seven lanes from I-5 to Greenburg Road)</li> <li>• Concept B – Access Management</li> <li>• Concept C – Full Widening (Seven lanes throughout the corridor)</li> </ul> <p>He gave the criteria for evaluation and noted that all concepts contain the same enhancement along the corridor. He said Concept B was rated best for pedestrians. Concept B is also best for bicyclists and for mass transit. Concept C is best for motor vehicles.</p> <p>Mr. Duenas asked Council for their input on the concepts.</p> <p>Councilor Buehner said the concepts appear to be similar to some that were developed 15 years ago but not built. She noted that the frontage roads that used to be along 99W were closed by ODOT.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Councilor Buehner noticed that none of the options include frontage roads. Engineer Duenas said frontage roads are not off the table.</p> <p>Mayor Dirksen said that backage roads would consolidate driveways but still provide access from the first developed area.</p> <p>Councilor Wilson said he agreed with other Council members speaking tonight and hoped to combine this with land use planning and access management. He stated that if the road between Fanno Creek and 217 was connected, a lot of traffic would be relieved from 99W.</p> <p>Councilor Wilson said bike paths were seldom used and not cost effective. He suggested coming up with a bike network that is off-line but parallel, and not having a bike lane on every arterial. Councilor Wilson asked how much is generated for Tri-Met from Tigard payroll taxes. He said Tigard needs to push for better bus service by either having Tri-Met redistribute or by operating our own private service.</p> <p>City Manager Prosser said a meeting was held with Tri-Met in the past and reasons given for the service level were fuel costs and the lack of our own post office; 97223 is actually part of Portland and funds are distributed by zip code.</p> <p>City Manager Prosser said he would request that Financial and Information Services Manager Sesnon obtain financial figures from Tri-Met.</p>	
<p>4. Meeting with ODOT Region 1 Manager, Jason Tell</p>	<p>ODOT Region 1 Manager Tell said he was surprised at how Tigard's City Council is thinking about implementation and he was impressed with their effort at seeking solutions to issues raised.</p> <p>Councilor Sherwood asked Mr. Tell what things can be done to obtain more federal funding.</p> <p>Region Manager Tell suggested taking the study and focusing on specific projects that can take advantage of opportunities:</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<ul style="list-style-type: none"> <li>• Reprogram MTIP funds</li> <li>• Federal Reauthorization Bills are coming up in 2009 and Tigard is in a good position to talk to lobbyists and congressional offices.</li> <li>• Reach out to legislators for state funding bills.</li> </ul> <p>Councilor Woodruff stressed that Highway 99W is the major road to the central coast and is a very well-traveled road. Region Manager Tell said he only has \$17 million per year for modernization. He suggested that Tigard work with ODOT during the next round of STIP updates. He said Tigard can make the argument that they are making a local effort (gas tax) to help solve their transportation problems.</p> <p>Councilor Wilson asked, “Are projects not on the highway right of way – but that help the right of way – ever considered?”</p> <p>Region Manager Tell said. “Yes, if it can be clearly demonstrated that a project is equal to or less than the improvement to the state road.” He said if there was a specific quantifiable project in mind, it can be submitted.</p> <p>Councilor Buehner said she was concerned that the legislature did not pass a state gas tax. She asked if ODOT could help educate the public on how far behind on road improvements the State is.</p> <p>Mayor Dirksen said another project that is not a 99W project but that would help with 99W traffic is the I-5/ 99W connector. He said Tigard supported it at this time but would be less inclined to support it, and possibly would oppose it, the farther south it slides.</p> <p>City Manager Prosser asked if Tigard representatives should be contacting the Transportation Commission directly. He asked for suggestions on preparing the most effective presentations for their consideration.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Region Manager Tell said the most important thing is to be ready with written requests when the time for input comes. He said he was pleased that Tigard's Council is aware of opportunities and is working on them.</p> <p>At 8:35 a break was called by Mayor Dirksen.</p> <p>Council came back in session at 8:45 p.m.</p>	
<p>5. Consider Amendment to Affordable Housing Fee Assistance Program</p>	<p>Long Range Planning Manager Ron Bunch gave a brief staff report on an amendment to the affordable housing fee assistance fund guidelines. This amendment adds a provision allowing funds not allocated during a budget year to be donated to the Community Housing Fund of Washington County. He said if Council desired, a condition could be added requiring funds to be spent in Tigard.</p> <p>Councilor Sherwood said she dislikes putting unspent money back into the general fund when it was appropriated for affordable housing. She said there is a shortage of housing and the shelter is full.</p> <p>Ramsey Weit, Community Housing Fund Executive Director, was present. He said the Community Housing Fund is a non-governmental, 501(c) (3) agency that helps local governments provide housing choices to working families and those on fixed incomes.</p> <p>He thanked the City Council and Associate Planner Roberts for leadership in the affordable housing arena and for the City's progressive tax policy. He said he hopes Tigard's downtown provides a range of affordable housing.</p> <p>Council consensus was that they agree with this proposal to amend the affordable housing guidelines to allow funds not allocated during a funding year to be donated to the Community Housing Fund of Washington County, with the stipulation that this money be reserved for projects located in Tigard.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
<p>6. Receive Briefing on Proposal to Create a Commercial Crime Unit and Use an Increase in the Business Tax to Fund the new Police Dept. Unit</p>	<p>Police Chief Dickinson and Business Manager Imdieke introduced this agenda item. Mr. Imdieke said staff met with the Tigard Chamber of Commerce, Chamber Business Advocacy Group, Rotary, Tigard Triangle, Washington Square and others to present a proposal to create a Commercial Crime Unit, paid for by a Business Tax increase. He reported that the response received was favorable with no group expressing opposition. Suggestions were made, including one to specify that revenues raised be earmarked for this use.</p> <p>Business Manager Imdieke discussed the current business tax basis and Scenarios 1-5. A copy of the "Business Tax Rate Alternatives Pros/Cons" list is in the City Recorder's office.</p> <p>In response to a question from Councilor Sherwood, Mr. Imdieke said home-based businesses are included.</p> <p>Council discussed the pros and cons of each scenario and the consensus was for Scenario #2.</p> <p>Business Manager Imdieke said the City should consider changing this into a business license since some businesses requested a "certificate" useful for other purposes. City Manager Prosser noted that in instances where the City has problem businesses, a business license that could be revoked could be considered regulatory.</p> <p>City Manager Prosser noted that the creation of the Commercial Crime Unit would require amending the Tigard Municipal Code and the Fees and Charges Schedule. He said it also requires a budget amendment to appropriate the new revenue and establish spending authority.</p> <p>Police Chief Dickinson said staff will come back in August with a proposal for Council approval.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
<p>7. City Center Advisory Commission (CCAC) Presentation on Urban Renewal and Marketing and Communications</p>	<p>Mayor Dirksen recessed the City Council and called the meeting of the City Center Development Agency to order. Deputy Recorder Krager called the roll.</p> <p>City Center Advisory Commission member Suzanne Gallagher gave a PowerPoint presentation on branding the urban renewal project. She stressed the importance of creating a consistent visual image and suggested that a logo, tagline and style guide be developed to market the urban renewal area. She said this logo would:</p> <ul style="list-style-type: none"> <li>› Establish immediate recognition of the urban renewal project</li> <li>› Create One Voice identity for all communications</li> <li>› Support the City of Tigard logo</li> </ul> <p>CCAC Member Gallagher said her committee suggested “Renewing the Heart of Tigard” as a tag line/slogan idea.</p> <p>Councilor Wilson expressed agreement with the idea of a focused presentation. He said he would prefer to see Tigard aim for a large master plan project with enough critical mass to spur development in the commercial area. He suggested looking beyond Portland, even nationally, for potential developers.</p> <p>Councilor Wilson presented slides of maps showing demographics and high tech cluster locations in the Washington County area. He said Tigard was favorably located and in a position to package this information to developers.</p> <p>Mayor Dirksen asked Ms. Gallagher if the logo idea was solely for the urban renewal district or if it could be used to identify Tigard at the gateways into the city. He asked if this was a corporate logo for the CCDA. Ms. Gallagher said that it was.</p> <p>Councilor Sherwood said, “We just spent a year and a half developing a new logo, colors and font. I’m reluctant to spend more time developing another logo. We’re not just selling the urban renewal district, but the whole city.”</p>	



Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Councilor Woodruff expressed appreciation for the citizen committee's work and enthusiasm but said it was important to get information from the consultant about what would get the attention of the people the City wants to attract.</p> <p>City Manager Prosser said Tigard needs to determine what our market is and then ask what can be done to build on the existing city brand. He said a consultant had been hired to help with this definition and that working on a new logo for the downtown may be premature.</p> <p>Councilor Sherwood mentioned the recent tour of Port Moody, Canada that she, Councilor Wilson and other local government representatives attended. She suggested that another tour be arranged so that CCAC members, business owners and others from the Tigard area can have the opportunity to visit Port Moody.</p> <p>Councilor Wilson said Port Moody is a suburban community similar to Tigard in size and proximity to larger city that has done high density well, with quality construction.</p> <p>Former Downtown Task Force Member Lisa Olson noted that the word, "heart" was often used to describe the downtown area. She reiterated the need for cohesive, professionally designed marketing materials.</p> <p>Community Development Director Coffee referred to his prior experience with two redevelopment projects – one in Corvallis, which attracted the largest shopping center developer in the country, and one in Lake Oswego. He stated that it wasn't the logo that brought them in; it was the fact that they had something to offer a developer and the developer could make money.</p> <p>Mayor Dirksen thanked the CCAC members for their input. He said this would be revisited in conjunction with the marketing effort, with the consultant.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Councilor Wilson asked Community Development Director Coffee to brief Council on the economic consultant's scope of work.</p> <p>Community Development Director Coffee said Dave Leland's scope of work includes assessing the Downtown Improvement Plan and the components of the Urban Renewal Plan in relation to current and future market conditions. He said Mr. Leland is one of the foremost experts in his field.</p>	
City Council Reconvened	<p>At 10:26 p.m. the City Council was reconvened for discussion of two additional items. City Manager Prosser asked Council if there was interest in sending two City staff people along with display materials for a booth at the National League of Cities Conference in New Orleans.</p> <p>Council consensus was not to do this.</p>	
8. Executive Session	<p>At 10:31 Council entered into an Executive Session to discuss real property transaction negotiations under ORS 192.660 (2) (e). Executive Session ended at 10:36 p.m.</p>	
9. Adjournment	<p>The Council meeting was adjourned at 10:36 p.m.</p>	<p>Councilor Woodruff made a motion to adjourn and Councilor Sherwood seconded.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p>Councilor Sherwood Yes  Councilor Wilson Yes  Councilor Woodruff Yes  Mayor Dirksen Yes  Councilor Buehner Yes</p>

Attest:

\_\_\_\_\_  
Carol A. Krager, Deputy City Recorder

\_\_\_\_\_  
Mayor, City of Tigard

Date: \_\_\_\_\_



Agenda Item No. \_\_\_\_\_  
For Agenda of \_\_\_\_\_

## TIGARD CITY COUNCIL/LOCAL CONTRACT REVIEW BOARD

### Meeting Minutes

June 26, 2007

Mayor Dirksen called the meeting to order at 6:30 p.m.

#### Attendance:

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	
Councilor Buehner	✓	
Councilor Sherwood	✓	
Councilor Wilson	✓	
Councilor Woodruff	✓	

#### ● STUDY SESSION

##### › Discuss Building Valuation Data Table – Community Development Department

Building Official Blalock presented the background on this agenda item. Building Official Blalock's June 8, 2007 memorandum outlined the new legislation and provided information on how the Building Valuation Data Table is used. A copy is on file in the City Recorder's office. There was discussion regarding how this table is applied to the City of Tigard rates. Community Development Director Coffee advised that the Homebuilders' Association is aware of this matter. A resolution for the Council's consideration is on tonight's Consent Agenda (Item 3.3).

##### › Distribute City Council Groundrules – Administration Department

City Council received a copy of the most recent groundrules (Resolution No. 06-51). Councilor Buehner noted one change to be made on Page 5: Assistant to the City Manager should be changed to read "Assistant City Manager." City Council will review the groundrules and discuss again at a future meeting to determine if additional changes are needed.

- › Discuss Amending Tigard Municipal Code regarding Chief Petitioner Requirement – Administration Department

City Council reviewed the staff report prepared for this item; a copy is on file in the City Recorder's office. Examples of what other cities have done to place requirements on chief petitioners were reviewed. A summary of the City Council discussion follows:

- Some Council support expressed that Chief Petitioners should be at least City residents since such petitioners are proposing to “change the fabric of the city.”
- Some Council support expressed to be more restrictive and require Chief Petitioners to be electors (registered voters) of the City of Tigard.
- Councilor Wilson pointed out that people who don't live in the City of Tigard, i.e., business owners, do have a stake in laws that are made that govern them. Mayor Dirksen offered that city business owners could be included as he agreed they do have an interest in the City. Councilor Wilson said that ultimately it would be city electors who vote yes or no on a proposal. Councilor Buehner referred to outside interests in statewide petition efforts who come to Oregon to sponsor petitions that cost taxpayer dollars to place these measures on the ballot. For petitions filed for elections other than the primary or general election of even-numbered years, the City must pay for the election. Councilor Wilson acknowledged there was merit to the argument for placing restrictions on Chief Petitioners because of the financial impact.
- Council discussed the possibility of allowing Chief Petitioners who are Tigard business owners, but are not residents or electors of the city. City Attorney Ramis cautioned that he has not seen any case law that would allow such a distinction. Councilor Buehner acknowledged this could be too complicated to implement. One suggestion was to include residents and property owners. After some discussion, City Attorney Ramis noted that the concern is “if we are just doing registered voters...I think we probably can. Once we create a situation where people who live outside the City but own property can participate but someone who lives inside the City can't participate, we open up an argument.”
- Councilor Sherwood noted the only people who can vote on measures on ballots by petitioner will be the city's electors. She said she would prefer to see the Chief Petitioners limited to “electors.” Mayor Dirksen said someone who was not an elector could find a sympathetic city elector to sponsor a measure. Councilor Wilson said he could support this because of the cost of the election borne by the City of Tigard. Council consensus was to support a proposed ordinance providing that Chief Petitioners shall be city electors.
- Council decided it would like to conduct a public hearing on the proposed amendment to the Tigard Municipal Code requiring that Chief Petitioners for an initiative, referendum or recall petition be City of Tigard electors.

- > Business Meeting Information distributed to and discussed with the City Council included the following:

#### Agenda

##### Item No.

- 3.2 Proposed Resolution Amending Resolution No. 02-62 Establishing the Guidelines for the Award of Affordable Housing Fee Assistance Funds (A copy of the resolution was forwarded to the City Council in its June 22, 2007 newsletter mail packet.)
- 9 Select an Election Date for the City Councilor Position and Reevaluate the Nomination Petition Filing Deadline. (Council received copies of the Agenda Item Summary and two resolutions representing options. Copies were forwarded to the City Council in its June 22, 2007 newsletter mail packet; copies are also attached.)

Councilor Woodruff suggested if there is only one candidate, the City Council could consider appointing that individual rather than holding an election. This matter was also discussed during the Business meeting, Agenda Item No. 9. Councilor Wilson said he would excuse himself from the discussions since the Council position under review is the position he holds.

- 11.1 (Non Agenda) – 4<sup>th</sup> of July Funding Request, FY 2006/07 (June 22, 2007 memorandum from Risk Manager Mills was distributed to the City Council. The Council also received a copy of the proposed Budget Amendment Resolution; this information was forwarded to the City Council in its June 22, 2007 newsletter mail packet.)
- 11.2 (Non Agenda) – Local Contract Review Board – Consider approving the purchase of five (5) Crown Victoria Police Interceptors through State of Oregon Contract #3196. City Manager Prosser advised there is no need for a Budget amendment. (The staff report was distributed to the City Council which also serves as the Local Contract Review Board.)

#### Administrative Items

- Determine if the City Council wants to continue to cablecast Workshop Council meetings. City Manager Prosser reviewed this item with the City Council. The additional cost is approximately \$450 per month. After brief discussion, City Council members agreed to continue to cablecast the Workshop Council meetings.

- Fort Moody Visit – July 26 & 27 – Interest and Cost. Community Development Director Coffee reviewed the list of invitees and the cost estimate for the trip to Port Moody. This information is on file in the City Recorder's office. Beaverton residents and officials might also want to go on this trip, which will mean some of the costs can be shared with them. There was brief discussion about what some of the Council members want to focus on for this trip including how to deal with more density; how the Port Moody model might be received by City of Tigard citizens; long-term considerations that might include redevelopment of Highway 99W; models retail and residential developments existing together. Staff will contact developers to determine their interest in going on this visit.

Council reviewed its calendar. City Council members agreed to cancel the July 31 Fifth Tuesday meeting.

- Council Calendar:

**July**

4	Wednesday	4 <sup>th</sup> of July Holiday – City Hall Closed
*10	Tuesday	Tigard City Council Business Meeting – 6:30 pm, City Hall
*17	Tuesday	Tigard City Council Workshop Meeting – 6:30 pm, City Hall
*24	Tuesday	Tigard City Council Business Meeting – 6:30 pm, City Hall
31	Tuesday	5 <sup>th</sup> Tuesday Council Meeting – Library Community Room, 7-9 p.m. (Cancelled)

\*Regular Council meetings.

EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 7:21 p.m. under 192660 (2) (e) to discuss real property transaction negotiations.

Executive Session concluded at 7:23 p.m.

1. BUSINESS MEETING

- 1.1 Mayor Dirksen called the City Council & Local Contract Review Board to order at 7:32 p.m.
- 1.2 Roll Call

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	
Councilor Buehner	✓	
Councilor Sherwood	✓	
Councilor Wilson	✓	
Councilor Woodruff	✓	



- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None
- 1.5 Call to Council and Staff for Non-Agenda Items

City Manager Prosser noted the following items would be considered by the City Council/Local Contract Review Board during Item No. 11, Non Agenda:

- 11.1 Consider 4<sup>th</sup> of July Funding Request FY 2006/07
- 11.2 Local Contract Review Board – Consider approving the purchase of five (5) Crown Victoria Police Interceptors through State of Oregon Contract #3196.

## 2. CITIZEN COMMUNICATION

- ♦ Tigard Area Chamber of Commerce President Ralph Hughes presented an update on Chamber activities. He noted this was his last presentation to the City Council as the Chamber President. Chamber elections were held recently for the new board of directors for the coming year; a formal announcement will be made soon. The last leadership institute recently held a graduation ceremony. The Chamber is now actively recruiting for the next institute classes scheduled for the fall. In response to a question from Councilor Woodruff, President Hughes said there is no timeline established for a proposed merger of the Tigard and Tualatin Chamber of Commerce organizations. Some issues need to be resolved, with President Hughes noting that the Tigard Chamber building would not be part of the merger equation.
- ♦ Council Candidate Roger Potthoff advised he would like to speak on two items on tonight's business agenda: 1) I-5 corridor and 2) City Councilor special election. After brief discussion, Mayor Dirksen said Mr. Potthoff could speak on these issues at the time these agenda item are considered by the City Council.
- ♦ John Frewing referred to the Council goal for better communication. He said he has been following the Ash Creek Estates development for a long time and he has raised a number of issues for which he has not had a response from the City. He has been observing the development to determine if the conditions of approval are being met. He noted he sent a June 6 e-mail to the City regarding the following conditions that he does not believe are being met: The steep dip in the street ("K" value) was allowed even though it exceeds the City's standards with the condition that there be warning signs posted; he said there are no signs. He also referred to a June 13 e-mail where he cited sight-distance issues at 74<sup>th</sup> avenue and the lack of a planter strip along 74<sup>th</sup> Avenue. He also forwarded pictures on June 13 showing there was no planter strip. Mayor Dirksen advised

Mr. Frewing his e-mails had been received and staff was directed to review and respond to the issues raised. Mr. Frewing will be hearing from staff.

Mayor Dirksen reviewed the Consent Agenda:

3. CONSENT AGENDA:

3.1 Approve Council Meeting Minutes for April 24, 2007

3.2 Amend Affordable Housing Assistance Fee - Resolution No. 07-37

A RESOLUTION AMENDING RESOLUTION NO. 02-62  
ESTABLISHING THE GUIDELINES FOR THE AWARD OF  
AFFORDABLE HOUSING FEE ASSISTANCE FUNDS

3.3 Approve Resolution to Modify Existing Fee Calculation for Building Permits –  
Resolution No. 07-38

A RESOLUTION MODIFYING EXISTING FEE CALCULATION FOR  
BUILDING PERMITS

3.4 Appoint Karen Levear to the Tigard Library Board – Resolution No. 07-39

A RESOLUTION MAKING THE FOLLOWING APPOINTMENT TO  
THE TIGARD PUBLIC LIBRARY BOARD: KAREN LEVEAR TO A  
FOUR-YEAR TERM BEGINNING JULY 1, 2007 THROUGH JUNE 30,  
2011

3.5 Adopt Collective Bargaining Agreement between the City of Tigard and the  
SEIU 503/OPEU Local 199 and Authorize the City Manager to Sign -  
Resolution No. 07 -40

A RESOLUTION ADOPTING A NEW COLLECTIVE BARGAINING  
AGREEMENT BETWEEN THE CITY OF TIGARD AND SEIU  
503/OPEU LOCAL D199 AND AUTHORIZING THE CITY MANAGER  
TO SIGN

3.6 Approve Cost of Living Adjustment for  
Management/Supervisory/Confidential Group Employees effective July 1,  
2007 and the Extension of Additional Health Plan Options - Resolution No.  
07-41

A RESOLUTION TO ADOPT A COST OF LIVING ADJUSTMENT FOR  
THE MANAGEMENT/SUPERVISORY/CONFIDENTIAL GROUP  
EMPLOYEES EFFECTIVE JULY 1, 2007, AND THE EXTENSION OF

ADDITIONAL HEALTH INSURANCE PLAN OPTIONS EFFECTIVE  
AUGUST 1, 2007

- 3.7 Local Contract Review Board:
- a. Award Contract for Pavement Maintenance under the FY 2007-08 Pavement Major Maintenance Program (PMMP) to Morse Brothers dba Knife River
  - b. Award Contract for Structural Plans Review Service to Miller Consulting Engineers, Inc.

Motion by Councilor Buehner, seconded by Councilor Woodruff, to approve the Consent Agenda.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

Newly appointed Library Board member Karen Levear was present (Item 3.4). Mayor Dirksen asked her to come forward and thanked her for her willingness to serve. He presented her with a City of Tigard logo-pin.

Councilor Woodruff, Councilor Sherwood, and Mayor Dirksen noted their appreciation to staff for reaching agreement on the SEIU contract (Agenda Item No. 3.5)

4. PRESENTATION OF AWARD TO "IF I WERE MAYOR" CONTEST WINNERS

Mayor Dirksen presented awards for the winning entries in Tigard's "If I Were Mayor" student contest:

Middle School Poster:	Christine Laughlin, 6 <sup>th</sup> grade – Twality Middle School
High School Essay	Alexander Carsh, 9 <sup>th</sup> grade – Tigard High School
High School Video	Brent Mangum, 12 <sup>th</sup> grade – Tigard High School

Copies of the winning entries are on file in the City Recorder's office. The above winners will now be entered into the statewide competition sponsored by the Oregon Mayor's Association.

5. PRESENTATION FROM ESSENTIAL HEALTH CLINIC

Executive Director Sheila Hale of the Essential Health Clinic presented information on services provided by her organization. Ms. Hale reviewed the mission statement, which is to improve the health of people in Washington County. A Tigard clinic opened last September. The clinic serves those individuals who are under-served or those who do not have health insurance. These are patients that have no place else to go (and do not need to go to an emergency room.) The clinic has three paid staff members and volunteer medical professionals. Councilor Sherwood applauded the health clinic for coming to the Tigard area noting there is the need for this service. She added that the Community Development Block Grant program supports this concept. Councilor Buehner expressed the hope that as a result of Ms. Hale's presentation tonight, the clinic will hear from more people who are willing to volunteer. More information can be found on the clinic's website: [essentialhealthclinic.org](http://essentialhealthclinic.org).

6. PROJECT OVERVIEW ON I-5 HIGHWAY/99W CONNECTOR

City Engineer Duenas introduced this agenda item noting the I-5 Highway/99W Connector is an important project for the City. The further south it connects, however, the less importance it has for the City. City Engineer Duenas introduced two project representatives:

1. Russ Knobel from Washington County who is the principal engineer and project lead for the County, and
2. Scott Richmond who is with David Evans and Associates Consultants

Mr. Knobel and Mr. Richmond reviewed a PowerPoint presentation. A copy is on file in the City Recorder's office. This is one of seven projects that has been determined by the Oregon Department of Transportation (ODOT) to be of statewide significance. Information included in the presentation included:

- The purpose of the project is to address inadequate transportation facilities in the outer southwest quadrant of the Portland metropolitan area.
- Need statements identifying what contributes to the need for a better connection.
- Charts on increasing housing and employment trends.
- Chart on increasing growth in area travel volumes.
- Definitions of local, regional and through trips.
- Anticipated condition of the project area by 2030.
- The two phases of the size and type of facility.
- Partners in project decision making.
- The project steering committee partners.
- Key milestones.
- Finding a solution.

- Selecting the best solution.
- Range of alternatives.
- Corridor concepts being considered.
- Confirming range of alternatives.
- Public participation information.

Councilor Buehner commented a similar presentation was made in 2000 or 2001 resulting in recommendations and work on this project. She asked if this work will be thrown away. Mr. Knobel responded that the County reviewed that earlier effort, which demonstrated the need for such a facility in this area and the need is for something greater than an arterial. This prompted the participants to step back to take a larger look. Councilor Buehner pointed out that in the interim years a lot of development has occurred; therefore, some of the options developed are no longer viable. She said development will continue to occur and this is a problem for Tigard. The farther south the connector is located, the less benefit it is for Tigard.

Councilor Wilson echoed Councilor Buehner's concerns and referred to his past experience in San Diego where right of way was acquired, and planning was done ahead of time, resulting in a "totally planned community." If the facility is built farther south then Councilor Wilson said this might be a project he might consider actively opposing because it will take funding away that would have been available to fix 99W in Tigard. Councilor Wilson noted Tigard just implemented a gas tax to do what it can for 99W because there has been no help forthcoming after all of these years. He questioned whether there was any funding for the project and wondered if it is a waste of time.

Councilor Woodruff noted that Tigard isn't even on the advisory group and said he wondered how involved Mr. Knobel wants Tigard to be; is Tigard just a spectator or is Tigard seen as an integral player. Mr. Knobel commented that the group was formed by including those jurisdictions who were either the primary partners or those that would have to take a land use action. Tigard was not included because the facility is to the south of the City. As this was developed, the advisory group realized the impact to the Tigard community, especially with a "no build" option. Mr. Knobel said a no-build alternative would add 26 percent traffic to 99W through Tigard. Any alternative, even further south, has the ability to take a good portion of traffic off of 99W but he conceded that it would not solve all of Tigard's problems on 99W. Councilor Wilson said he would like to see the modeling and said that 26 percent more traffic would not fit through Tigard.

Councilor Buehner noted that when the modeling was done when she served on the Transportation Committee, the southern proposed routes only provided a 5-10 percent reduction on 99W through Tigard. She said she wasn't sure this would be worth the incredible amount of money that would be involved. She agreed with Councilor Wilson's observation that this would cut off any further funding for transportation improvements to an area that has been ignored for far too long. Councilor Buehner

said it has been frustrating for her and for the Tigard citizens who have to “fight” 99W everyday. She said 99W is the most heavily traveled highway that isn’t a freeway.

Mayor Dirksen offered some history. When this was first proposed in the late 1980’s and 1990’s, the problem centered around politics. There was a group of people who believed that if we were to develop a better transportation system, then all it would do is encourage more development. The opposite being that if we didn’t build a better transportation system, it would dissuade people from moving here. That philosophy, in the interim, has been proved to be a failure because, in fact, the population has grown faster without the improvements to the transportation system that the models projected. Councilor Buehner agreed that the models prepared by Metro were inaccurate. Mayor Dirksen said the result is that we have been left with a failing transportation system and still needed to deal with the congestion and development that occurred anyway. Now, we’re doing it over again, but now we have fewer solutions and less satisfactory solutions. However, Mayor Dirksen said we are duty bound to move forward and study those to determine if there is a solution left that will work.

Councilor Buehner advised Mr. Knobel that she hoped when he goes back to his stakeholders that he would reiterate and critically evaluate what the impact will be if the facility is moved farther south in terms of what the impact will be on traffic in the City of Tigard. She said this will not happen unless everyone “buys into” this project. Councilor Buehner said this will also impact all of the people who live on the north side of Sherwood and the northern half of Tualatin who are now tangled up in a “traffic nightmare.” This has been going on for 20 years and there is a tremendous amount of frustration that those who haven’t been around for that long might not be aware of.

Mr. Richmond said more information will be available in August. He added that the City of Tigard’s participation is invited and, if that is not sufficient and Tigard wants more involvement, they would welcome that. Mr. Knobel noted the Chair of the Washington County Board, Tom Brian, has been around for many of the past discussions. This project is Washington County’s top priority so “we are really trying to do something this time.” In looking at the alternatives, one of the principal constraints set down by the decision-making body was to avoid densely developed areas. Councilor Buehner reiterated that her continuing concern is that the longer this takes, development will occur and the project will become less viable.

Councilor Sherwood said she agreed with what members of the Tigard City Council have said, but at the same time, she noted she saw the westside bypass “go away” so she urged participants to be positive and to be involved as much as possible. In order to get anything done she said it would be best not to “shoot the messengers” even though the alternatives might not be “to our liking.” The Mayor and Council agreed with Councilor Sherwood and Mayor Dirksen noted appreciation of the work being done.



City Engineer Duenas noted a letter of support was requested from the City and asked the Council to consider whether a letter should be forthcoming supporting the project with the qualifications as mentioned earlier this evening.

Mayor Dirksen called upon Mr. Roger Potthoff who had requested to make comments on this agenda item. Mr. Potthoff questioned why the City of Tigard was not represented on the Steering Committee for this project. He thinks there is a perception in the community that the City has opted out of the opportunity to be a member of the Steering Committee and the perception needs to be corrected. He noted the importance of Tigard being “at the table” and referred to his participation on the 99W Citizen Advisory Committee where committee members believed that the I-5 connector is critical so that the improvements contemplated on 99W will be effective. He suggested Tigard might want to consider making no improvements to 99W until the I-5 connector is resolved. He suggested that if the City makes improvements to 99W, this would alleviate the problem for people using 99W and would forestall the I-5 connector solution. He said it is important to send a message to other communities who have effectively obstructed solutions to the 99W problems for Tigard. He said a message should be sent to Tigard’s neighbors that Tigard is no longer a “doormat” regarding corridor development. Mayor Dirksen said he assumed improvements would continue to be made on 99W after the decisions are made on the connector.

The Mayor noted appreciation for Mr. Potthoff’s comments and the good points he made. There is diminishing support from the City of Tigard for the connector project as it moves farther south. City Engineer Duenas will be writing a letter to decision makers for this project stating Tigard’s needs and concerns. Mayor Dirksen also noted that the City of Tigard has been invited to attend the Steering Committee meetings for this project; Tigard has been involved all along even though it does not have a chair at the table.

7. CONSIDER AN ORDINANCE AMENDING TIGARD MUNICIPAL CODE (TMC) CHAPTER 7.52.100 (3) REGARDING ALCOHOLIC BEVERAGES IN PARKS

Public Works Director Koellermeier presented the staff report. A copy is on file in the City Recorder's office. The proposed ordinance would implement a “blanket” restriction on the consumption of alcoholic beverages in all city-owned parks within the urban renewal zone, thereby eliminating the need to update the Tigard Municipal Code each time a new park is created.

Mayor Dirksen asked if a future square (the community gathering place) would allow alcohol noting that there might be a desire to allow some events to serve alcohol. Public Works Director Koellermeier advised the ordinance was not crafted so that this would be allowed. Public Works Director Koellermeier noted that the Police



Department staff have used the first ordinance banning alcohol in some parks as a tool to "turn the corner" on some of the problems experienced in these parks. After discussion with staff, City Council members agreed to consider the ordinance as proposed but noted it might want to revisit the exception for special events in the future.

Motion by Councilor Woodruff, seconded by Councilor Sherwood, to adopt Ordinance No. 07-14.

ORDINANCE NO. 07-14 – AN ORDINANCE AMENDING TIGARD MUNICIPAL CODE (TMC) 7.52.100(3) REGARDING ALCOHOLIC BEVERAGES IN PARKS

The motion was approved by a majority vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

8. AUTHORIZE AMENDMENTS TO INTERGOVERNMENTAL AGREEMENTS WITH DURHAM, KING CITY, AND THE TIGARD WATER DISTRICT, AND THE EXECUTION OF TENANTS IN COMMON AGREEMENTS AND BARGAIN AND SALE DEEDS FOR THE WATER BUILDING AND CANTERBURY PROPERTIES

Public Works Director Koellermeier presented the staff report. A copy is on file in the City Recorder's office.

The documents have been reviewed by the City Attorney and the Intergovernmental Water Board (IWB) determined the need to amend the documents referred to in the agenda title above. The City of Tigard, as an IWB member, must vote on these documents as outlined in the proposed resolution.

Motion by Councilor Sherwood, seconded by Councilor Buehner, to adopt Resolution No. 07-42.

RESOLUTION NO. 07-42 - A RESOLUTION AUTHORIZING THE CITY OF TIGARD'S REPRESENTATIVE TO THE INTERGOVERNMENTAL WATER BOARD TO VOTE ON AND APPROVE THE FIRST AMENDMENTS TO THE INTERGOVERNMENTAL AGREEMENT DATED 12/28/1993 FOR THE CITY OF KING CITY, AND 12/23/1993 FOR THE TIGARD WATER DISTRICT, AND APPROVE THE SECOND AMENDMENT TO THE CITY OF DURHAM

INTERGOVERNMENTAL AGREEMENT DATED 12/23/1993, TO EXECUTE THE TENANTS IN COMMON AGREEMENTS FOR THE WATER BUILDING PROPERTY AND THE CANTERBURY PROPERTY, AND TO EXECUTE THE BARGAIN AND SALE DEEDS FOR THE CANTERBURY PROPERTY AND WATER BUILDING PROPERTY FROM TIGARD WATER DISTRICT TO INTERGOVERNMENTAL WATER BOARD MEMBER JURISDICTIONS AS TENANTS IN COMMON.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

9. SELECT AN ELECTION DATE FOR THE CITY COUNCILOR POSITION AND REEVALUATE THE NOMINATION PETITION FILING DEADLINE

Councilor Wilson left the Council bench and did not participate in the discussion on this agenda item.

Mayor Dirksen reviewed the background on this item. A copy of the staff report is on file in the City Recorder's office.

City Attorney Ramis confirmed for the City Council that it would have the authority to substitute an appointment process rather than to hold an election if only one candidate files by the July 9 deadline.

Mayor Dirksen asked Mr. Potthoff, a candidate for this Council position, for his comments. Mr. Potthoff advised he was prompted to become a City Councilor candidate since he requested the City Council make this an open process to fill the seat vacated by Councilor Harding. He said if the Council decided to move the eligibility date for Council candidates to file for a November election, this would in no way offend him. He said the City would be better served with a competitive election as there are serious issues to discuss.

Mr. Potthoff added that if the Council decides to hold an election in November for the City Councilor election, he suggests the citizens of Tigard be asked to vote on the business tax increase. The voters might welcome the opportunity to vote. He said he questioned whether 100 percent of the increase should go to the Police Department. Mr. Potthoff acknowledged that the police budget is tight, but this department also fared well in gaining an increase in the recently adopted budget.

Council decided to wait until the July 10, 2007, meeting to consider the resolution calling for a special election to elect a Councilor. This would give the time needed to determine if there are any other candidates for the position.

Councilor Wilson returned to the Council bench to participate in the remainder of the meeting.

10. COUNCIL LIAISON REPORTS: None.

11. NON-AGENDA ITEMS

11.1 Consider 4<sup>th</sup> of July Funding Request FY 2006/07

City Manager Prosser reviewed this agenda item. A June 22, 2007, memorandum from Risk Manager Mills had been distributed to the Council that outlined the additional funding request to pay for insurance for this year's event. A copy of this memorandum is on file in the City Recorder's office.

Councilor Sherwood advised she used to serve on the committee that sponsors this event. She urged support for the request noting the event is free to everyone and well patrolled. Councilor Buehner said she thought it was a reasonable request. Councilor Woodruff agreed that while the request was reasonable, he did have some concern regarding setting a precedent should other event sponsors want this type of financial assistance as well. During discussion, Council members acknowledged that the issue with the insurance premium happened suddenly. Now, the 4<sup>th</sup> of July event is almost here and the City could assist with additional funding for the insurance premium this year. It does not mean, however, that this will be a cost the City would automatically cover every year. City Manager Prosser noted it became apparent that there would be the insurance premium expense after the call to committees to present their requests during the budget process. He acknowledged that this will be an issue the Council might need to deal with next year.

Motion by Councilor Buehner, seconded by Councilor Woodruff, to adopt Resolution No. 07-43.

A RESOLUTION APPROVING BUDGET AMENDMENT #16 TO THE FY 2006-07 BUDGET TO INCREASE APPROPRIATIONS IN THE SOCIAL SERVICES/COMMUNITY EVENTS BUDGET WITHIN THE COMMUNITY SERVICES PROGRAM FOR ONE-TIME ADDITIONAL FUNDS TO THE TIGARD 4<sup>TH</sup> OF JULY

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

11.2 LOCAL CONTRACT REVIEW BOARD: Approve the Purchase of Five (5) Ford Crown Victoria Police Interceptors through State of Oregon Contract #3196

City Manager Prosser reviewed for the Local Contract Review Board the request to purchase five police vehicles. By ordering the vehicles prior to June 28, 2007, the City will avoid an additional markup of nearly \$1,000 per vehicle after that date. A copy of the staff report is on file in the City Recorder's office.

Motion by Board member Woodruff, seconded by Board member Buehner, to approve the purchase of the five Ford Crown Victoria Police Interceptors.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

12. EXECUTIVE SESSION: Not held.

13. ADJOURNMENT

Motion by Councilor Woodruff, seconded by Councilor Sherwood, to adjourn the meeting at 9:22 p.m.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

Attest:

\_\_\_\_\_  
Catherine Wheatley, City Recorder

\_\_\_\_\_  
Mayor, City of Tigard

Date: \_\_\_\_\_

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Agenda Item No. \_\_\_\_\_  
For Agenda of \_\_\_\_\_

**TIGARD CITY COUNCIL/CITY CENTER  
DEVELOPMENT AGENCY**  
**Meeting Minutes**  
**July 10, 2007**

Mayor Dirksen called the meeting to order at 6:32 p.m.

Roll Call:

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	
Councilor Buehner	✓	
Councilor Sherwood	✓	
Councilor Wilson	✓	
Councilor Woodruff	✓	

- **STUDY SESSION**

- > Council Discussion Regarding Changes to the Council Groundrules – Administration Department

Council reviewed City Manager Prosser's suggestions for changes; a copy of these suggestions are on file in the City Recorder's office. Council members concurred with the suggestions, which will be submitted for Council approval on the July 24, 2007, Consent Agenda.

- > Port Moody, Canada Trip

Senior Planner Nachbar reviewed travel plans, the agenda, and the list of attendees for the trip to Port Moody scheduled for July 26 and 27, 2007. Port Moody is a successful planned community and this model might have some elements that could work well in the Tigard Downtown Urban Renewal District.

- > Administrative Items

- Team Building Meeting

After brief discussion, City Council members concurred to postpone this meeting until November or December.

- Special Meeting on July 17 with Lake Oswego Council and Intergovernmental Water Board; 6 p.m. dinner and 7 p.m. meeting.

Mayor Dirksen noted that it is likely that a work group will be formed to review a potential partnership between Lake Oswego and Tigard. He said the Council members should be thinking about who could represent Tigard on the workgroup. City Manager Prosser advised that the consultant reviewed information with the Lake Oswego Council at its July 9, 2007, meeting. Feedback from the Lake Oswego Council appeared to be favorable with regard to continuing to explore the possibility of a partnership. Councilor Woodruff and Councilor Buehner were suggested as two possible representatives. Public Works Director Koellermeier would be the staff member assigned to this work group.

- Mayor's Design Institute – University of Washington. Mayor Dirksen is unable to attend this function to be held July 19-21. After discussion Councilor Buehner advised she would attend if the invitation can be extended to someone other than the Mayor.

- Council Calendar: was reviewed:

#### **July**

*17	Tuesday	Tigard City Council Special Meeting – 6 pm dinner; 7 pm meeting, City Hall
*24	Tuesday	Tigard City Council Business Meeting – 6:30 pm, City Hall
26-27	Thurs-Friday	Port Moody Trip, Vancouver BC – Departure 8:30 a.m. on 7/26 at Tigard City Hall
31	Tuesday	5 <sup>th</sup> Tuesday Council Meeting – Cancelled

#### **August**

*14	Tuesday	Tigard City Council Business Meeting – 6:30 pm, City Hall
*21	Tuesday	Tigard City Council Workshop Meeting – 6:30 pm, City Hall
*28	Tuesday	Tigard City Council Business Meeting – 6:30 pm, City Hall

\*Regular Council meetings.

Study Session concluded at 7:16 p.m.

## 1. BUSINESS MEETING

1.1 Mayor Dirksen called the meeting to order at 7:33 p.m.

1.2 Roll Call:

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	
Councilor Buehner	✓	
Councilor Sherwood	✓	
Councilor Wilson	✓	
Councilor Woodruff	✓	

1.3 Pledge of Allegiance

1.4 Council Communications & Liaison Reports

Mayor Dirksen reported he met on July 10, 2007, with members of the Washington County Coordinating Committee. Potential future funding for road improvement projects was discussed. He said he has some data that he will give to staff to distribute to the City Council instead of talking about it tonight. This is moving forward with a two-tiered approach including a Major Streets Transportation Improvement Plan (MSTIP) and maintaining the County Traffic Impact Fee. Municipalities will be encouraged to enact their own traffic System Development Charge to deal with local issues. Mayor Dirksen asked that, once the City Councilors have read the information, they give him some feedback as he continues the discussion with the rest of the Committee.

1.5 Call to Council and Staff for Non-Agenda Items: None.

## 2. CITIZEN COMMUNICATION

- Mark Poling, 8525 SW Cedarcrest, Tigard, OR 97223 representing the American Legion said in March 2006 the City Council, the Tigard Chamber of Commerce, and the American Legion Post in Tigard, adopted the 41<sup>st</sup> Brigade Combat Team, headquartered in Tigard as they left for Afghanistan. In the one-year-plus that they were gone, the American Legion raised funds and sponsored other activities to support those in the military and their families. The 41<sup>st</sup> Brigade has now returned. The American Legion has arranged an August 4 "Home-Again Parade," which is growing into a significant event. A large number of people and businesses are helping with this event. The one piece remaining is the insurance. Mr. Poling asked if the City could assist with insurance.

After discussion, Mr. Poling was directed to contact Tigard Risk Manager Mills. Mike Marr, who is one of the organizers of the 4<sup>th</sup> of July event, would be another resource to determine where insurance could be purchased for this type of event. If feasible, the City Council could consider whether to finance the cost of the insurance at its July 24, 2007, City Council meeting.

Mr. Dale Potts supplied more details about this event. A copy of this information is on file in the City Recorder's office.

- Follow-up to Previous Citizen Communication

City Manager Prosser noted on June 26, 2007, John Frewing had asked for review of some issues with the Ash Creek Estates Development. City Manager Prosser advised staff responded to Mr. Frewing.

3. CONSENT AGENDA:

Mayor Dirksen reviewed the Consent Agenda:

- 3.1 Approve Council Minutes for May 8 and 15, 2007
- 3.2 Receive and File:
  - a. Council Calendar
  - b. Tentative Agenda
- 3.3 Approver Workers' Compensation Insurance for Volunteers through City County Insurance Services – Resolution No. 07-44
- 3.4 Approve Application for 2007 Homeland Security Grant

Motion by Councilor Sherwood, seconded by Councilor Woodruff, to approve the Consent Agenda.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Sherwood	Yes
Councilor Wilson	Yes
Councilor Woodruff	Yes

4. OVERVIEW OF METRO'S DRIVE LESS/SAVE MORE CAMPAIGN IN TIGARD

- a. Metro Regional Transportation Options Manager Pam Peck presented information. The PowerPoint presentation overview is on file in the City

Recorder's office. The mission is to reduce single-person car trips to minimize the need to increase road and other infrastructure capacity.

5. REVIEW FINAL CITY OF TIGARD PROJECT LIST FOR METRO'S REGIONAL TRANSPORTATION PLAN (RTP) UPDATE

- a. City Engineer Duenas presented the staff report. The PowerPoint presentation overview is on file in the City Recorder's office.

The current RTP was adopted in 2004. This update extends the planning horizon through 2035. The updated RTP must be submitted to the federal government in March 2008. The City's project list was incorporated into the Washington County master list. City Engineer Duenas reviewed the process to date. A draft list of projects was reviewed and approved on May 15, 2007. The Council was asked to approve the final list as presented.

- b. Council Discussion

Councilor Wilson commented that it seems as if 30+ years is a long time-frame and expressed doubt that it would be worthwhile to attempt to project needs that far out. There was discussion on what was driving the timeline: The State of Oregon will also need to submit information to this process. Mayor Dirksen noted this is not a final list insofar as projects will be updated over the next few years.

Councilor Wilson expressed concern whether Highway 99W was represented well enough on the project list. There was additional discussion on this process including the coordination with Washington County who will submit projects on behalf of jurisdictions in this county to be evaluated by Metro. City Engineer Duenas said he believed there will be opportunity to add projects. The State still needs to submit its projects and City Engineer Duenas reminded City Council that 99W is a State highway.

There was lengthy discussion regarding concerns about what will happen to the project lists during the Metro review based on past experience as to what projects get funding. Mayor Dirksen commented that the project list now before the City Council is the same list it has reviewed on several other occasions. Community Development Director Coffee reminded the Council that Tigard recently received \$2.5 million from Metro for "green streets" for Main Street. Like all long-term planning processes they are essentially an exercise. The federal government is looking for a list that says what the Portland Metro region can reasonably expect to pay for over the next 35 years. The federal government uses this kind of information to allocate money to the different regions. As soon as we get projects for 99W that we can describe and



cost out, we will add that to our annual Community Investment Program and update our Transportation System Plan so we need to keep telling those in charge of funding about what we require.

Councilor Woodruff said even though Council members might have some skepticism about the final outcome, we need to do everything we can to keep all options open for the most amount of money available. Selecting priorities is always a challenge. Even if only a portion of the money is allocated to Tigard, it will be helpful.

Mayor Dirksen supported remaining involved. City Engineer Duenas commented on projects that seem to do well with getting funding; for example, modernization projects appear not to be the focus and projects that are multi-modal are more likely to get funded. Mayor Dirksen commented that the federal government was critical of Metro's last list of project because upgrades to roads were not listed. He said there may be more incentive this time around to include those kinds of projects.

c. Council consideration:

Motion by Councilor Buehner, seconded by Councilor Woodruff, to approve the list as submitted by City Engineer Duenas.

Discussion on the motion followed:

Mayor Dirksen advised he would be in favor of approving this list, which is basically the list approved by the Council previously. The list now represents a reshuffling of priorities to show projects on the list that meet the 200 percent level. He said he will agree to approve the list with the caveat that as we move forward with the review of 99W and those projects solidify, we quickly get those into the pipeline as soon as we are allowed.

Councilor Sherwood asked if staff could meet with the State to get 99W on the State plan. Mayor Dirksen and Councilor Sherwood said we need to keep pressuring regarding the 99W project. City Engineer Duenas, in response to a comment from Councilor Wilson, noted that an Oregon Department of Transportation (ODOT) representative said the City would need to make a good case if asking for funding of streets that are off of the State system but help their system perform better.

City Engineer Duenas said he thinks the 99W study will help although we will probably have to do additional work once we come up with specific projects. Mayor Dirksen pointed out that ODOT is involved in the 99W study and it might be found that the best way to help 99W is by finding other ways to pull

traffic off 99W. He thought ODOT might be more supportive for these types of off-system improvements.

Council vote on the motion:

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Sherwood	Yes
Councilor Wilson	Yes
Councilor Woodruff	Yes

### *Recess City Council Meeting (8:30 p.m.)*

- > Motion by Councilor Sherwood, seconded by Councilor Buehner, to recess the City Council meeting.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Sherwood	Yes
Councilor Wilson	Yes
Councilor Woodruff	Yes

### *Convene City Center Development Agency (CCDA) Meeting*

- City Center Development Agency Chair Dirksen called the meeting to order at 8:31 p.m.
- Roll Call: Chair and Board Members of CCDA Present:
  - Chair Dirksen
  - Director Buehner
  - Director Sherwood
  - Director Wilson
  - Director Woodruff

Chair and Commissioners of CCAC

- Chair Switzer
- Vice Chair Craghead
- Commissioner Barkley
- Commissioner Gallagher
- Commissioner Potthoff

6. JOINT MEETING OF CITY CENTER DEVELOPMENT AGENCY (CCDA) AND THE CITY CENTER ADVISORY COMMISSION (CCAC) FOR DISCUSSION WITH CONSULTANT REGARDING THE DOWNTOWN REAL ESTATE DEVELOPMENT STRATEGY

- a. Associate Planner Farrelly introduced this item to review the Downtown Real Estate Development Strategy. The City hired the Leland Consulting Group, a Real Estate Development and Economics Consultant, to provide their professional, unbiased opinion on the redevelopment potential of the downtown urban renewal district. Associate Planner Farrelly introduced Chris Zahas and Tina Mosca from the Leland Consulting Group to present some of their initial findings.

Mr. Zahas presented the Downtown Tigard Revitalization Strategy Report. The PowerPoint presentation overview is on file in the City Recorder's office.

- b. CCDA/CCAC Discussion highlights:

CCAC Chair Switzer:

- Don't lose sight of the area north of 99W, which could be treated as an "economic engine." While Main Street is the heart of the downtown, it might be easy to lose track of the fringe areas including the area north of 99W.
- It is important not to sink all of the public projects into areas immediately on or adjacent to 99W. Consider short-term and long-term "jump-start" redevelopment projects in other areas in the urban renewal district.
- Concern that the Report might be too prescriptive identifying specific businesses. National chain businesses might not necessarily be what are wanted; rather, are we looking for local ownership to add to the character of the downtown.
- Might be critical to consider land assembly. Now, there are many small parcels, which would make it impossible to implement the downtown plan.
- Do not ignore the opportunity to tie in new development with transit facilities; commuter rail and the bus system.
- Consider creating an Economic Development position in the City of Tigard. There has been discussion among the City Center Advisory Commission members about the value of having this type of position to recruit new businesses and retain the current businesses. This would help toward establishing the Tigard area as a business friendly community. Part of this position might be funded through the urban renewal district.

CCDA Director Buehner:

- Discussed situations where businesses might feel pushed out yet have no intention of moving from the downtown area in the foreseeable future. Mr. Zahas acknowledged this could be an issue and noted one strategy for mitigating this circumstance would be to identify areas where companies could relocate. However, there still might be resistance if the business owner decides that the downtown area works well for them and they do not want to move because no other area would meet their needs in a similar fashion. There is a considerable amount of light industrial in the downtown that does not fit into the Plan for the long term. Efforts must be made to try to determine whether there are other areas in Tigard that could accommodate these businesses. The decision must be made whether the City would have a role in identifying other properties. If some of these uses, for one reason or another, opt to stay, then this must be worked around. Situations will need to be resolved on a case-by-case basis and it is difficult to be too general; however, as an overall strategy, it is important to have good, frequent, open and direct communication with the businesses to gain their trust as a potential partner as they decide whether to stay or relocate.

CCAC Commissioner Potthoff

- Would it be valuable to include a series of “big ideas?” We have an opportunity in this community with commuter rail and with over 40 percent of the population new to the area in the last ten years in that real change is going on.
- Gave an example of a “big idea”: Pursue something such as the National Energy Efficiency Development Institute (NEEDI) for alternative energy research. This is a research institute of higher education that could possibly be funded through a consortium of energy companies, public foundations, or private money.

Consultant Zahas:

- Agreed with “big idea” tact noting some “big ideas” that are embedded in the Plan; i.e., performing art center and urban creek.
- Referred to the concept of “champions” (leaders) noting that every big idea needs champions within the community and business world to make them happen.

Councilor Wilson:

- Acknowledged the process of evolution for major changes to take place, but then there seems to be a time when things start to happen very quickly. He cited as examples the Pearl District and the area along North Macadam in Portland where underutilized areas were redeveloped

seemingly very quickly once the redevelopment started. What does it take for something like these developments to occur; i.e. how would the Portland/Metro area stack up in terms of its appeal for investors.

- Tigard area should be attractive because of demographics surrounding it: transportation links, Kruse Way, Washington Square, and visibility from Highway 217.
- Is there a possibility of going for a “home run” if it is found there is a pent-up demand in this area?

Consultant Zahas:

- Referred to the Highway 99W/Hall Intersection noting some areas are tailored more for smaller infill-development types of development where areas along Highway 99W could facilitate larger shopping centers. He asked for discussion on types of uses:
  1. Are larger developments wanted, or
  2. Are infill-development types wanted across the board?
- Look at the context and the parcels of land for development opportunities. Consider ownership: private or public. Where should the catalyst projects go; what kinds of uses do you envision.

Discussion continued regarding redevelopment and the types of projects suitable for different areas. Councilor Wilson referred to Russ Chevrolet, which he understands has been looking for another site. Perhaps, this business might be more suited for land that PacTrust has been looking to develop. The current Russ Chevrolet site might be a good place for “signature retail” (a catalyst).

During the discussion that followed, some of the key areas of interest indicated were:

- Higher-end high density residential.
- Rental units.
- Land assembly will be one of the first hurdles.
- Developers are now looking to develop property that was previously considered as secondary, smaller sites.
- Trends are favorable for housing, especially apartments.
- Could larger chain businesses serve as an anchor for smaller businesses?

There was discussion and clarification that no one was advocating something such as a Wal-Mart at the Highway 99W/Hall intersection. What was envisioned was a big project such as a large hotel that would introduce people to the downtown. Consultant Zahas said a public plaza could be a catalyzing project as another example. Additional discussion



included what the market conditions might foster; i.e., rental housing and owner-occupied housing.

- Discussion about what is meant by urban density. Some areas might be conducive to several stories of commercial/residential, while others would remain at one or two stories (Main Street).
- Discussed the upcoming trip to Port Moody which offers an example of a community with multiple centers with specific roles.
- Discussed importance of infrastructure including transportation and design of items such as streetlights.
- Discussed the performing arts idea more. To draw from the region appropriate facilities are needed including businesses that would support the center (i.e., restaurants). Talked about creating an environment so opportunities could present themselves.
- Talked about the proximity of Broadway Rose and the Ballroom Dance Company, which might represent opportunities.
- Essential to develop a relocation assistance plan.
- Consider assistance plans for individuals who want to restore an existing building.
- Encouraged all present to attend the Port Moody visit if possible.

*City Center Development Agency (CCDA) Meeting Adjourned at 9:49 p.m.*

Motion by Director Sherwood, seconded by Director Buehner, to adjourn the City Center Development Agency meeting.

The motion was approved by a unanimous vote of City Center Development Agency members present.

Chair Dirksen	Yes
Director Buehner	Yes
Director Sherwood	Yes
Director Wilson	Yes
Director Woodruff	Yes

*City Council Meeting reconvened at 9:50 p.m.*

Councilor Wilson left the Council bench and did not participate in the discussion for Agenda Item No. 7.

7. CONTINUE DISCUSSION FROM THE JUNE 26, 2007, CITY COUNCIL MEETING REGARDING SETTING DATE FOR CITY COUNCILOR ELECTION

- a. A copy of the staff report for this item is on file in the City Recorder's office. Two options were offered to the City Council regarding setting a filing deadline date for the election for a City Councilor on November 6, 2007.
- b. Councilor Woodruff noted his support for Option 1, which would be to retain the filing deadline of July 9, 2007.
- c. Council Consideration:

Motion by Councilor Woodruff, seconded by Councilor Sherwood, to adopt Resolution No. 07-45, Option 1.

RESOLUTION NO. 07-45 - A RESOLUTION CALLING FOR A SPECIAL ELECTION ON NOVEMBER 6, 2007, FOR THE ELECTION OF A CANDIDATE TO THE OFFICE OF TIGARD CITY COUNCILOR TO SERVE FOR A ONE-YEAR TERM: JANUARY 1, TO DECEMBER 31, 2008.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Sherwood	Yes
Councilor Wilson	Yes
Councilor Woodruff	Yes

8. ADJOURNMENT: 9:53 p.m.

Motion by Councilor Woodruff, seconded by Councilor Sherwood, to adjourn meeting.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Sherwood	Yes
Councilor Wilson	Yes
Councilor Woodruff	Yes

\_\_\_\_\_  
Catherine Wheatley, City Recorder


Attest:

\_\_\_\_\_  
Mayor, City of Tigard

Date:\_\_\_\_\_

**COUNCIL AGENDA ITEM SUMMARY**

City Of Tigard, Oregon

Issue/Agenda Title Re-Approval of Library PoliciesPrepared By: Margaret Barnes/Alison GrimesDept Head Approval: City Mgr Approval: CP  
CW**ISSUE BEFORE THE COUNCIL**

Re-approve policies for the Tigard Library as recommended by the Tigard Library Board

**STAFF RECOMMENDATION**

Request re-approval of the attached policies as recommended by the Tigard Library Board and as stated in the Tigard Municipal Code, Section 2.36.040.

**KEY FACTS AND INFORMATION SUMMARY**

The Tigard Library Board reviews pertinent policies and procedures annually that relate to the operation of the Tigard Public Library. As it states in the Tigard Municipal Code, Section 2.36.040 – Board Responsibilities: *To recommend library policies as deemed desirable in the operation and utilization of library facilities to the Council.* Over the past several months and including the recent meeting of August 9, 2007, the Library Board met to review various policies, and unanimously re-approved the policies listed below. The City Attorney has reviewed these documents and has no concerns or issues. The Library Board is forwarding the following policies to Council for their re-approval:

- Collection Development Policy – to provide a current, responsive collection of library materials to meet the needs and interests of the diverse and growing Tigard community
- Confidentiality of Library Records Policy – to protect the privacy and confidentiality of library users
- Library Bill of Rights
- The Freedom to Read

If adopted, the policies will be incorporated into the Library's policy manual.

**OTHER ALTERNATIVES CONSIDERED**

None

**CITY COUNCIL GOALS**

N/A

**ATTACHMENT LIST**

1. Collection Development Policy
2. Confidentiality of Library Records Policy
3. Library Bill of Rights
4. The Freedom to Read

## **Collection Development Policy**

- I. Mission Statement
- II. Purpose of the Collection Development Policy
- III. Responsibility for Collection Development
- IV. Objectives of Collection Development
- V. General criteria for selection
- VI. Collection Maintenance
- VI.I Gifts
- VIII. Reconsideration of Library Materials
- IX. Limits on the Collection
- X. Policy Implementation, Evaluation and Revision

### **I. MISSION STATEMENT:**

To provide a current, responsive collection of library materials to meet the needs and interests of the diverse and growing Tigard community.

### **II. PURPOSE OF THE COLLECTION DEVELOPMENT POLICY:**

The purpose of this collection development policy is to establish the guidelines for the selection of materials in the Library's collection. Its intent is to develop the collection to reflect the needs and interests of a diverse community and to establish a plan for the selection of materials. Specific information regarding the library's collection and guidelines for acquisition of materials is contained in the Collection Development Procedures Manual.

### **III. RESPONSIBILITY FOR COLLECTION DEVELOPMENT:**

The Library Board has the authority to determine the selection and acquisition policy. Final responsibility for selection of materials rests with the Library Director, who may delegate some or all of the selection to professional staff. Any staff member or citizen may submit suggestions for purchase of materials; professional staff will consider these suggestions on a regular basis according to the selection criteria.

### **IV. OBJECTIVES OF COLLECTION DEVELOPMENT:**

The library will acquire, organize, make available and encourage the use of all media that:

- contributes constructively to the individual's awareness of self and community while providing insight into a wide range of human and social conditions and various cultural heritages
- encourages informational self education
- meets the informational and recreational needs of the entire community



- stimulates thoughtful participation in the affairs of the community, the state, the nation, and the world
- gives access to a variety of opinions on matters of current interest
- assists the individual to grow intellectually and culturally
- reflects minority opinions as well as those of the majority

## **V. GENERAL PRINCIPLES AND CRITERIA FOR SELECTION:**

The library's collection is essentially a popular and informational one. It exists to serve the recreational, educational and self-help needs of the library's patrons. Multiple copies of titles may be purchased as determined by popular demand. The library will not attempt to create a research collection, but will select basic, representative works in most subject areas. Additionally, although an effort will be made to collect popular works by local authors, no attempt will be made to develop a comprehensive local author collection. Materials acquired will be selected on the basis of the following criteria:

1. Current and anticipated needs and interests of the public
2. Accuracy of content
3. Timeliness of information
4. Author's, artist's or publisher's qualifications and/or reputation
5. Evaluations in review media
6. Contribution to diversity or breadth of collections.
7. Presentation of unique or controversial points of view.
8. Receipt of or nomination for major awards or prizes
9. Quality of production

These selection standards also apply to materials received as gifts or donations.

The Tigard Public Library endorses the material selection principles contained in the following statements of principles adopted by the American Library Association:

- A. The Library Bill of Rights
- B. The Freedom to Read statement
- C. The Freedom to View statement
- D. Free Access to Libraries by Minors
- E. Economic Barriers to Information Access

## **VI. COLLECTION MAINTENANCE:**

Materials which are no longer useful in light of stated objectives of the library will be systematically withdrawn from the collection according to accepted professional practices.

Withdrawn items will be disposed of by one of the following means:

- A. Gifts to other libraries
- B. Book sales for Friends of the Library
- C. Recycling
- D. Discarding

## **VII. GIFTS:**

The Library will accept monetary donations and gifts of material with the understanding that gifts of materials will be added to the collection only if they meet the same standards of value required of materials purchased by the Library. Gift materials not meeting those standards, i.e., those that are out of date, unneeded duplicates of items already owned, or those in a form unsuitable for library use, may be given to other organizations, sold, exchanged, or discarded. Ultimate responsibility for inclusion of materials in the library collection lies with the library director or his/her designated representative. Contributions of materials are deductible for income tax purposes to the extent allowed by law. Appraisal remains the responsibility of the donor.

When a monetary donation for materials is made, it will be determined whether the gift is designated for a certain item or general category. Patrons who provide donations to be used for acquiring materials are requested to permit library staff to select specific titles which may meet the wishes of the donor, satisfy selection criteria, and are appropriate for the general public.

## **VIII. RECONSIDERATION OF LIBRARY MATERIALS:**

As the Library strives to provide books and other materials for the interest, information and enlightenment of all people in the community, there may be disagreements on the merit of various items. Therefore, the following procedures will apply in responding to complaints:

- A. Recognizing that citizens have the right to question Library decisions, the Library staff will first try to determine the basis of the individual's request.
  - 1. If the individual is seeking information about why the item has been selected, the matter will be handled informally by a professional librarian. Such a request is an opportunity to explain the mission of the Library and the guarantee of our freedom to read under the First Amendment to the U.S. Constitution.
  - 2. If the individual objects to the material being available and wishes to have the material removed from the Library or relocated within the Library, then he or she will be furnished with the "Request for Reconsideration of Library Materials" Form, which must be filled out completely before the item will be reconsidered. The material

under question will remain in the active collection until a final decision is made.

- B. A committee of three staff members, consisting of one staff member from Readers Services, the Manager of Readers Services and an additional Management group representative, will review the item in question to determine the Reconsideration Request form. This review will be initiated within 10 days of the receipt of the Reconsideration Request form. After their review, the Manager of Readers Services will communicate the response of the committee to the individual making the reconsideration request.
- C. If the individual wishes to contest this committee's decision, a committee consisting of one member of the Tigard Library Board, one staff member from Reader's Services and one staff member from Library Administration will then consider the comments on the form and examine the item in question. The committee will seek reviews of the item in question and determine whether it conforms to the guidelines as stated in the Collection Development Procedures Manual. This review will be initiated within 10 days of receipt of the requestor's appeal for reconsideration of the item in question, and must be completed within 60 days. Based on the written recommendation of the committee, the Library Director will decide whether to retain, withdraw, restrict or relocate the material in question and will provide a written response giving the reasons for the decision.
- D. If the individual inquiring wishes to contest the Library Director's decision, the Library Director will forward the "Request for Reconsideration of Library Materials" form to the Tigard Library Board as an agenda item for its next regularly scheduled meeting. The Library Director will also arrange for the questioner to be invited to attend the meeting. The Board will consider the requester's statement and the Library Director's recommendation. The Library Board will make its decision based on the policy as stated in the Collection Development Policy in the Tigard Public Library Policies and Procedures Manual and the Collection Development Procedures Manual.
- E. If the questioner contests the Library Board's decision, the Library Director will forward the "Request for Reconsideration of Library Materials" form to the Tigard City Manager.

#### **IX. LIMITS ON THE COLLECTION:**

Due to various constraints of budget, space, limited audience and other limitations, the Library is not able to collect many of the following items:

- A. Textbooks: Elementary through college, unless the title fills a specific need, and information on a particular subject is not otherwise available.
- B. Microform formats: Exceptions include a limited number of local newspaper titles, the Tigard Times back file and locally produced Tigard-area genealogical information.
- C. Government documents: Exceptions include the Tigard City Council proceedings, the Oregon Revised Statutes and similar items of high demand or importance.
- D. In-depth research and/or retrospective works.
- E. Foreign language: Except for items such as instructional materials and cassettes, texts, and dictionaries, which may be collected, and for materials filling the need of specific user groups within the Library community.

**X. POLICY IMPLEMENTATION, EVALUATION AND REVISION:**

The Library Director and the Library Board members will review the Tigard Public Library Collection Development Policy every other year beginning in fiscal year 2003-04.

**APPENDICES:**

- A. Library Bill of Rights.
- B. The Freedom to Read statement
- C. Request for Library Material Reconsideration Form

Adopted by the Tigard Library Board November 13, 2003

## Request for Reconsideration of Materials Form

Date \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Telephone \_\_\_\_\_

1. Individual represents \_\_\_\_\_ self  
\_\_\_\_\_ organization

2. Title (please include author or call number if possible):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. What is your concern about this material? Please be specific:  
list pages or sections:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Did you read, hear, or see the entire content? \_\_\_\_\_

5. Have you read any reviews of this material?

**6. Have you had a chance to see the Tigard Public Library Collection Development Policy? \_\_\_\_\_**

**7. Do you have suggestions for materials to be included in the collection to provide other viewpoints?**

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**8. Additional comments:**

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**9. Your comments will be reviewed by library administrators and you will receive a written response. Please note: Your comments are public record, however, your name, address and phone number will be kept confidential.**

**Signature** \_\_\_\_\_



## CONFIDENTIALITY OF LIBRARY RECORDS POLICY

The Tigard Public Library recognizes that all library users, regardless of age, have the right to confidentiality and privacy with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.

User records of the Tigard Public Library showing 1) use of specific library materials consulted, borrowed, acquired or transmitted, by a named person; or 2) consisting of the name of a library patron together with the person's address or telephone number, or both, are conditionally exempt from disclosure. These records include, but are not limited to:

- Circulation records
- Borrower registration records
- Records created to facilitate access to and/or use of library information, materials and services.

Tigard Public Library reserves the right to use library records for administrative purposes, such as recovering overdue materials, payment for lost items, customer surveys and other administrative mailings. Circulation and registration records may be used only by a library employee working within the scope of his or her duties or by outside agencies charged with the enforcement of library rules and policies or collection of library property, unpaid fees, fines or other charges.

The Tigard Public Library recognizes that the disclosure of a person's record showing specific library use is an invasion of privacy. Circulation records will not be divulged voluntarily to anyone except the patron or someone who can produce the patron's library card number. User records will be provided pursuant to lawfully issued subpoenas or warrants issued by a court of competent jurisdiction. When a subpoena or warrant is served on the Library, the subpoena or warrant shall be delivered to the Library Director or designee, who shall guide the Library's response. The Library Director may consult with the City Attorney if served with a subpoena or warrant.

### **Rationale**

Protecting the privacy and confidentiality of library users is a fundamental library value.

Oregon State Law recognizes the Tigard Public Library as a public body subject to the Public Records Law. However, ORS 192.502.22 provides the following exemption from disclosure of library public records:

Tigard Public Library

Adopted by the Tigard Library Board March 6, 2003

"The records of a library, including circulation records, showing use of a specific library material by a named person or consisting of the name of a library patron together with the address or telephone number, or both, of the patron."

This law allows the library to set policies to protect library circulation and registrations records from disclosure. In setting these policies, the library tries to strike a balance between the privacy of the user and convenience for that same user.

Adopted by the Tigard Library Board March 6, 2003.

## Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

- I. Books and other library resources should be provided for the interest, information and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background or views of those contributing to their creation.
- II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- V. A person's right to use a library should not be denied or abridged because of origin, age, background or views.
- VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948.

Amended February 2, 1961, and January 23, 1980,  
inclusion of "age" reaffirmed January 23, 1996,  
by the ALA Council.

Endorsed and reaffirmed by the Tigard Library Board, September 14, 2006.

## The Freedom to Read

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings. The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. *Publishers, librarians and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information..*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.



7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principle means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953; revised January 28, 1972, January 16, 1991, July 12, 2000, June 30, 2004, by the ALA Council and the AAP Freedom to Read Committee.

A Joint Statement by: American Library Association  
Association of American Publishers

The Media Institute  
National Coalition Against Censorship  
National PTA  
Parents, Families and Friends of Lesbians and Gays  
People for the American Way  
Student Press Law Center  
The Thomas Jefferson Center for the Protection of Free Expression

Endorsed and reaffirmed by the Tigard Library Board, September 14, 2006.

Agenda Item #  
Meeting Date

August 28, 2007

**COUNCIL AGENDA ITEM SUMMARY**  
City Of Tigard, Oregon

Issue/Agenda Title: Authorize the Mayor to Sign the King City Urban Service Agreement

Prepared By: Ron Bunch

Dept Head Approval:



City Mgr Approval:



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**ISSUE BEFORE THE COUNCIL**

Council is requested to approve a resolution authorizing the Mayor to execute the King City Urban Service Agreement and Addendum for the purpose of identifying Tigard's and King City's common Urban Services boundaries.

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**STAFF RECOMMENDATION**

Staff recommends that Council authorize the Mayor to execute the King City Urban Service Agreement and Addendum.

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**KEY FACTS AND INFORMATION SUMMARY**

The King City Urban Service Agreement and its addendum are before Council because Washington County desires to implement state Senate Bill 122 which was codified within ORS 195, Local Government Planning Coordination. The statute requires local governments to coordinate the establishment of urban service boundaries and adopt urban service agreements for all territory inside the Metro Urban Growth Boundary. This includes incorporated and unincorporated areas. The urban services agreements are required to coordinate urban service boundaries and identify agencies and jurisdictions that currently provide services to local government entities and those that will do so in the future.

It is important to note that Tigard is not designated as a current or long term service provider to King City. However, Washington County requests that Tigard be party to the agreement only for the purpose of shared urban service boundaries with King City. The same request has been made of Tualatin.

The common urban service boundary between the King City and Tigard Urban Service Areas is the centerline of Beef Bend Road and the western right-of-way line of Highway 99W as shown in the Urban Service Agreement on Map A of the Agreement. The Agreement is specific that, "Tigard, which is not a service provider to the King City Urban Services Area, is a party to the agreement solely for the purpose of designating the common boundary between these urban service areas."

Tigard is also requested to sign an addendum to the Agreement because Tualatin requested further clarification of their role as a signatory. An addendum was necessary because Tualatin made its request after the County distributed the "final agreement" for adoption by affected local governments. The addendum clarifies that Tualatin is bound by the agreement only for the purposes of designating a common boundary between it and King City's urban service areas and that it has no other obligations or responsibilities regarding the remaining portions of the agreement.

Staff considered whether Tigard should consider the same type of amendment. It was found not necessary. The reason is that the subject agreement is sufficiently specific regarding Tigard's role. The Tigard Urban Service Agreement was

adopted in February 2003. There have been many years of historical precedent regarding urban service boundaries and the respective responsibilities of the two cities, the County, and various service agencies.

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#### **OTHER ALTERNATIVES CONSIDERED**

- Not sign the urban service agreement
  - Delay signing the Agreement until, like Tualatin, an addendum is prepared stating Tigard has no other obligations or responsibilities regarding any other portions of the Agreement besides those in which it is mentioned.
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#### **CITY COUNCIL GOALS**

Increase Tigard's involvement with Washington County, Metro, State, TriMet, and the federal government

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#### **ATTACHMENT LIST**

- Attachment 1: Proposed Resolution authorizing the Mayor to sign the King City Urban Service Agreement And associated addendum for the purpose of identifying and coordinating Tigard's and King City's common Urban Services boundaries
- Exhibit A: King City Urban Services Agreement
- Exhibit B: Addendum to King City Urban Services Agreement
- 

#### **FISCAL NOTES**

Not Applicable

CITY OF TIGARD, OREGON  
TIGARD CITY COUNCIL  
RESOLUTION NO. 07- \_\_\_\_\_

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE KING CITY URBAN SERVICE AGREEMENT AND ASSOCIATED ADDENDUM FOR THE PURPOSE OF IDENTIFYING AND COORDINATING TIGARD'S AND KING CITY'S COMMON URBAN SERVICES BOUNDARIES

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WHEREAS, Statewide Planning Goals 2, 11 and 14 require cities and counties to plan, in cooperation with all affected agencies and special districts, for the urbanization of lands within an urban growth boundary and ensure the timely, orderly, and efficient extension of public facilities and urban services; and

WHEREAS, ORS 195, Local Government Planning Coordination, generally requires local governments to coordinate the establishment of urban service boundaries; adopt urban service agreements for all territory inside the Metro urban growth boundary including incorporated and unincorporated areas; and

WHEREAS, ORS 195.020(4)(e) requires cooperative agreements to specify units of local government which shall be parties to an urban service agreement under ORS 195.065; and

WHEREAS, ORS 195.065 (1) and (2) specifically require counties to be responsible for convening representatives of cities and special districts that provide, or declare an interest in providing an urban service inside an urban growth boundary, and subsequently negotiate coordinated urban service agreements; and

WHEREAS, several parties have entered into cooperative service agreements for fire and life safety, water, open-space, sanitary sewer, transportation, surface water management, etc., for the City of King City per ORS 195.020; and

WHEREAS, Washington County recently convened entities that supply urban services to King City, or require coordination of respective urban service boundaries; and subsequently prepared the King City Urban Service Agreement pursuant to its responsibilities under ORS 195; and

WHEREAS, although Tigard neither currently provides nor plans to provide urban services to King City, the two cities do share common Urban Service Boundaries, which are the centerline of Beef Bend Road and the western right-of-way of Highway 99W, thereby making Tigard a party to the King City Urban Services Agreement; and

WHEREAS, Tigard's role as signatory to the King City Urban Services Agreement is for the sole purpose of designating the common boundaries between it and King City's urban service areas; and this is supported by Section IV of the agreement which states, "Tigard, which is not a service provider to the King City urban services area, is party to the agreement solely for the purpose of designating a common boundary between the service areas."; and

RESOLUTION NO. 07-

WHEREAS, the King City Urban Service Agreement does not change the Tigard's current or future arrangement of receiving or providing services as supported by the following recital, "Whereas, the Tigard Urban Service Agreement was adopted in February 2003. There is no territory in the Tigard urban services area that will be affected by the agreement..."; and

WHEREAS, an addendum accompanies the King City Urban Service Agreement resulting from the City of Tualatin requesting clarification of its role as a signatory after the agreement was distributed for adoption by affected local governments; and

WHEREAS, it was found not necessary for Tigard to pursue a similar amendment because Tigard's Urban Service Boundaries with King City have successfully been in place for many years and Tigard's role as a party to the agreement is very limited and sufficiently specific.

NOW, THEREFORE, BE IT RESOLVED by the Tigard city Council that:

SECTION 1: The Mayor is authorized to execute the King City Urban Service Agreement (Exhibit A) and associated addendum (Exhibit B).

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2007.

\_\_\_\_\_  
Mayor - City of Tigard

ATTEST:

\_\_\_\_\_  
City Recorder - City of Tigard

## KING CITY URBAN SERVICE AGREEMENT

This AGREEMENT is made and entered into by and between Washington County, a municipal corporation of the State of Oregon, including its services districts other than Clean Water Services, hereinafter "COUNTY", the City of King City, a municipal corporation of the State of Oregon, hereinafter "CITY", the City of Tigard, a municipal corporation of the State of Oregon, hereinafter "TIGARD", the City of Tualatin, a municipal corporation of the State of Oregon, hereinafter "TUALATIN", Metro, a metropolitan service district of the State of Oregon, hereinafter "METRO", and the following Special Districts of the State of Oregon, hereinafter "DISTRICT(S)".

Clean Water Services ("CWS");  
Tigard Water District ("TWD");  
TriMet ("TRIMET"); and  
Tualatin Valley Fire and Rescue District ("TVF&R")

### RECITALS

WHEREAS, ORS 195.025(1) requires METRO, through its regional coordination responsibilities, to review urban service agreements and planning activities within the COUNTY affecting land use, including planning activities of the COUNTY, cities, special districts and state agencies; and

WHEREAS, ORS 195.020(4)(e) requires cooperative agreements to specify the units of local government which shall be parties to an urban service agreement under ORS 195.065; and

WHEREAS, the parties have entered into cooperative agreements for fire and life safety, water, parks, recreation, open space, sanitary sewer, and surface water services, which are consistent with ORS 195.020; and

WHEREAS, ORS 195.065(1) requires units of local government that provide an urban service within an urban growth boundary to enter into an urban service agreement(s) that specify (a) the unit of government that will deliver urban services, (b) the functional role of each service provider, (c) the future service area, and (d) the responsibilities for planning and coordination of services. ORS 195.065(5) authorizes one or a series of urban service agreements with service providers to fulfill the requirements of ORS 195.065(1); and

WHEREAS, ORS 195.065(1) and (2) require that the COUNTY shall be responsible for:

1. Convening representatives of all cities and special districts that provide or declare an interest in providing an urban service inside an urban growth boundary within the county that has a population greater than 2,500 persons for the purpose of negotiating an urban service agreement;
2. Consulting with recognized community planning organizations within the area affected by the urban service agreement; and
3. Notifying Metro in advance of meetings to negotiate an urban service agreement to enable



Metro's review; and

WHEREAS, ORS 195.075(1) requires urban service agreements to provide for the continuation of an adequate level of urban services to the entire area that each provider serves; and

WHEREAS, ORS 195.075(1) requires that if an urban service agreement calls for significant reductions in territory of a special service district, the agreement shall specify how the remaining portion of the district is to receive services in an affordable manner; and

WHEREAS, ORS 195.205 to 195.235 grant authority to cities and districts (as defined by ORS 198.010) to annex lands within an urban growth boundary, subject to voter approval, if the city or district enacts an annexation plan adopted pursuant to ORS 195.020, 195.060 to 195.085, 195.145 to 195.235, 197.005, 197.319, 197.320, 197.335, and 223.304, and if the city or district has entered into urban service agreements with the county, cities and special districts which provide urban services within the affected area; and

WHEREAS, pursuant to ORS 195.065(3), decisions on a local government structure to be used to deliver an urban service under ORS 195.070 are not land use decisions under ORS 197.015; and

WHEREAS, ORS 197.175 requires cities and counties to prepare, adopt, amend, and revise their comprehensive plans in compliance with statewide planning goals, and enact land use regulations to implement their comprehensive plans; and

WHEREAS, Statewide Planning Goals 2, 11, and 14 require cities and counties to plan, in cooperation with all affected agencies and special districts, for the urbanization of lands within an urban growth boundary, and ensure the timely, orderly, and efficient extension of public facilities and urban services; and

WHEREAS, the Tigard Urban Service Agreement was adopted in February 2003. There is no territory in the Tigard Urban Service Area that will be affected by the AGREEMENT; and

WHEREAS, there is no territory in TUALATIN's urban planning area that will be affected by the AGREEMENT.

NOW, THEREFORE, the premises being in general as stated in the foregoing recitals, it is agreed by and between the parties hereto as follows:

## **I. ROLES AND RESPONSIBILITIES**

A. Parties to this AGREEMENT shall provide land use planning notice to each other in accordance with the provision of the "Cooperative Agreements," developed in compliance with ORS 195.020. The applicable Cooperative Agreements and their effective dates are described below.

1. Cooperative Agreement for Fire and Life Safety Services with TVF&R. The agreement's effective date for TVF&R is October 13, 1997; the effective date for the CITY is October 2, 1997; the effective date for the COUNTY is October 14, 1997.

2. Cooperative Agreement for Water Supply Services with the Tigard Water District (TWD). The agreement's effective date for TWD is December 19, 1997; the effective date for the CITY is October 2, 1997; the effective date for the COUNTY is October 14, 1997.
  3. Cooperative Agreement for Wastewater and Surface Water with CWS, formerly known as the Unified Sewerage Agency. The agreement's effective date for CWS is January 20, 1998; the effective date for the CITY is October 2, 1997; the effective date for the COUNTY is October 14, 1997.
- B. The parties to this AGREEMENT are designated as the appropriate providers of services to the citizens residing within their boundaries as specified in this AGREEMENT.
  - C. The CITY is designated as the appropriate provider of services to citizens residing within its boundaries and to unincorporated areas subject to this AGREEMENT as shown on Map A, except for those services that are to be provided by another party as specified in this AGREEMENT.
  - D. The CITY and COUNTY will be supportive of annexations to the CITY over time.
  - E. The COUNTY and DISTRICTS will not oppose annexations to the CITY over time consistent with the provisions of this AGREEMENT and Oregon State Statutes.
  - F. Pursuant to ORS 195.205, the CITY and DISTRICTS reserve the right and may, subsequent to the enactment of this AGREEMENT, develop an annexation plan or plans in reliance upon this AGREEMENT in accordance with ORS 195.205 to 220.
  - G. The COUNTY shall have the responsibility for convening representatives for the purpose of amending this AGREEMENT, pursuant to ORS 195.065(2)(a).

## **II. AGREEMENT COORDINATION**

- A. Existing intergovernmental agreements that are consistent with this AGREEMENT shall remain in force. This AGREEMENT shall control provisions of existing intergovernmental agreements that are inconsistent with the terms of this AGREEMENT. This AGREEMENT does not preclude any party from amending an existing intergovernmental agreement or entering into a new intergovernmental agreement with one or more parties for a service addressed in this AGREEMENT, provided such an agreement is consistent with the provisions of this AGREEMENT. Except as provided in Exhibit F, such amendments and new intergovernmental agreements shall be consistent with the provisions of this AGREEMENT and the requirements of ORS 195.065 to 195.080.
- B. The CITY and COUNTY have entered into an intergovernmental agreement called the *Washington County – King City Urban Planning Area Agreement*, which defines the urban planning area of the CITY and describes how the CITY and COUNTY coordinate comprehensive planning and development. The Urban Planning Area Agreement shall be revised to be consistent with this AGREEMENT.

- C. CITY and COUNTY shall endeavor to take all action necessary to cause their comprehensive plans to be amended to be consistent with this AGREEMENT within twelve months of execution of this AGREEMENT, but no later than sixteen months from the date of execution.

### **III. AREA AFFECTED BY AGREEMENT**

This AGREEMENT applies to the King City Urban Service Area (KCUSA) as shown on Map A. The northern boundary of the KCUSA is the centerline of Beef Bend Road. The eastern boundary is the western right of way line of Hwy. 99W. The southern boundary is the centerline of the Tualatin River. The western boundary is the January 1, 2006 Regional Urban Growth Boundary (UGB). Tax Lots 1300, 1400 and 1500, Tax Map 2S1 16DC are not in the KCUSA because they are located outside of the UGB.

### **IV. ESTABLISHING COMMON BOUNDARIES FOR URBAN SERVICES**

- A. The common boundary between the King City and Tigard Urban Service Areas is the centerline of Beef Bend Road and the western right of way line of Hwy. 99W, as shown on Map A. The designated service providers to each urban service area are identified in the respective urban service agreements. TIGARD, which is not a service provider to the KCUSA, is a party to the AGREEMENT solely for the purpose of designating the common boundary between these urban service areas.
- B. The common boundary between the King City Urban Service Area and TUALATIN's urban planning area is the center line of the Tualatin River as shown on Map A. TUALATIN, which is not a service provider to the KCUSA, is a party to the AGREEMENT solely for the purpose of designating the common boundary between the KCUSA and TUALATIN's urban planning area.

### **V. URBAN SERVICE PROVIDERS**

- A. The service provisions of this AGREEMENT, as described in Exhibits A through G, establish the service providers and elements of urban services for the geographic area covered in this AGREEMENT.
- B. The following urban services are addressed in this AGREEMENT:
1. Fire Protection and Emergency Services (Exhibit A);
  2. Public Transit (Exhibit B);
  3. Law Enforcement (Exhibit C);
  4. Parks, Recreation, and Open Space (Exhibit D);
  5. Roads and Streets (Exhibit E);
  6. Sanitary Sewer and Storm Water (Exhibit F); and

7. Water Service (Exhibit G).

**VI. ASSIGNABILITY**

No assignment of any party's rights or obligations under this AGREEMENT to a different, new or consolidated or merged entity shall be effective without the prior consent of the other parties affected thereby.

**VII. EFFECTIVE DATE OF AGREEMENT**

This AGREEMENT shall become effective upon full execution by all parties.

**VIII. TERM OF THE AGREEMENT**

This AGREEMENT shall continue to be in effect as long as required under state law. The COUNTY shall be responsible for convening the parties to this AGREEMENT for the review or modification of this AGREEMENT, pursuant to Section IX.

**IX. PROCESS FOR REVIEW AND MODIFICATION OF THE AGREEMENT**

- A. The parties shall periodically review the provisions of this AGREEMENT in order to evaluate the effectiveness of the processes set forth herein and to propose any necessary or beneficial amendments to address considerations of ORS 195.070 and ORS 195.075.
- B. Any party may propose modifications to this AGREEMENT to address concerns or changes in circumstances.
- C. This AGREEMENT may only be changed by written consent of all affected parties. Amendments to the exhibits of this AGREEMENT may be made upon written consent of the parties identified in each exhibit.
- D. The periodic review of this AGREEMENT and all proposed modifications to this AGREEMENT shall be coordinated by the COUNTY. All requests for the periodic review of this AGREEMENT and all proposed modifications shall be considered in a timely manner and all parties shall receive notice of any proposed amendment. Only those parties affected by an amendment shall sign the amended agreement.
- E. Any party to this AGREEMENT who proposes a formation, merger, consolidation, dissolution, or other major boundary change shall notify all other parties of the availability of the reports or studies required by Oregon State Statutes to be prepared as part of the proposal.
- F. Amendments to this AGREEMENT that include boundary changes shall comply with all applicable law, including but not limited to Oregon State Statutes and Chapter 309 of the METRO Code or its successor. If necessary, the METRO boundary appeals process shall be used to resolve conflicts between parties.

## **X. DISPUTE RESOLUTION**

If a dispute arises between or among the parties regarding breach of this AGREEMENT or interpretation of any term thereof, those parties shall first attempt to resolve the dispute by negotiation prior to any other contested case process. If negotiation fails to resolve the dispute, the parties agree to submit the matter to non-binding mediation. Only after these steps have been exhausted will the matter be submitted to arbitration.

Step 1 – Negotiation. The managers or other persons designated by each of the disputing parties will negotiate on behalf of the entities they represent. The issues of the dispute shall be reduced to writing and each manager shall then meet and attempt to resolve the issue. If the dispute is resolved with this step, there shall be a written determination of such resolution signed by each manager, which shall be binding upon the parties.

Step 2 – Mediation. If the dispute cannot be resolved within 30 days of initiation of Step 1, a party shall request in writing that the matter be submitted to non-binding mediation. The parties shall use good faith efforts to agree on a mediator. If they cannot agree, the parties shall request a list of five mediators from an entity or firm providing mediation services. The parties will attempt to mutually agree on a mediator from the list provided, but if they cannot agree, each party shall select one name and the two mediators shall jointly select a third mediator. The dispute shall be heard by the third mediator and any common costs of mediation shall be borne equally by the parties, who shall each bear their own costs and fees therefore. If the issue is resolved at this step, then a written determination of such resolution shall be signed by each manager and shall be binding upon the parties.

Step 3 – Arbitration. After exhaustion of Steps 1 and 2 above, the matter shall be settled by binding arbitration in Washington County, Oregon pursuant to ORS 190.710-790 or as the parties may agree otherwise. The arbitration shall be before a single arbitrator. The cost of arbitration shall be shared equally. The arbitration shall be held within 60 days of selection of the arbitrator unless otherwise agreed to by the parties. The decision shall be issued within 60 days of arbitration. The parties acknowledge that the arbitrator shall have no authority to decide a legislative or quasi-judicial land use issue.

## **XI. SEVERABILITY CLAUSE**

If any portion of this AGREEMENT is declared invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this AGREEMENT.

## **XII. SIGNATURES OF PARTIES TO AGREEMENT**

In witness whereof, this AGREEMENT is executed by the authorized representatives of the COUNTY, CITY, DISTRICTS, TIGARD, TUALATIN and METRO. The parties, by their representative's signature to this AGREEMENT, signify that each has read the AGREEMENT, understands its terms, and agrees to be bound thereby.

**CITY OF KING CITY**

By: \_\_\_\_\_  
Ron Shay, Mayor

\_\_\_\_\_  
Date



**CITY OF TIGARD**

By: \_\_\_\_\_  
Craig Dirksen, Mayor

\_\_\_\_\_  
Date

**CITY OF TUALATIN**

By: \_\_\_\_\_  
Lou Ogden, Mayor

\_\_\_\_\_  
Date

## CLEAN WATER SERVICES

By: \_\_\_\_\_  
Tom Brian, Chair  
Board of Directors

\_\_\_\_\_  
Date

Approved as to Form:

By: \_\_\_\_\_  
District Counsel

**METRO**

By: \_\_\_\_\_  
Council President

\_\_\_\_\_  
Date

**TIGARD WATER DISTRICT**

By: \_\_\_\_\_  
President  
Board of Directors

\_\_\_\_\_  
Date

**TRIMET**

By: \_\_\_\_\_  
General Manager

\_\_\_\_\_  
Date



**TUALATIN VALLEY FIRE AND RESCUE DISTRICT**

By: \_\_\_\_\_  
Chairman, Board of Directors

\_\_\_\_\_  
Date

**WASHINGTON COUNTY**

By: \_\_\_\_\_  
Tom Brian, Chair  
Board of Commissioners

\_\_\_\_\_  
Date

Approved as to Form:

By: \_\_\_\_\_  
County Counsel

**EXHIBIT A**

**PROVISIONS OF AGREEMENT FOR FIRE PROTECTION  
AND PUBLIC EMERGENCY SERVICES**

TUALATIN VALLEY FIRE AND RESCUE DISTRICT, CITY and COUNTY agree:

1. That TVF&R is and shall continue to be the sole provider of fire protection services to the King City Urban Service Area (KCUSA) shown on Map A.
2. That TVF&R, CITY and COUNTY are and shall continue to provide emergency management response services to the KCUSA.
3. That TVF&R is and shall continue to be the sole provider of all other public emergency services to the KCUSA, excluding law enforcement services.

## **EXHIBIT B**

### **PROVISIONS OF AGREEMENT FOR PUBLIC TRANSIT SERVICE**

TRIMET, CITY, COUNTY and METRO agree:

1. That TRIMET, pursuant to ORS Chapter 267, is currently the sole provider of public mass transit to the King City Urban Service Area (KCUSA) shown on Map A. Future options for public mass transit services to the KCUSA may include public/private partnerships to provide rail or other transit service, CITY operated transit service, and transit service by one or more public agency to all or part of the area.
2. That TRIMET shall work with the COUNTY, CITY, and METRO to provide efficient and effective public mass transit services to the KCUSA.

## **EXHIBIT C**

### **PROVISIONS OF AGREEMENT FOR LAW ENFORCEMENT**

COUNTY and CITY agree that:

1. As annexations occur within the King City Urban Service Area shown on Map A, the CITY's annexation ordinance shall withdraw the area from the Enhanced Sheriff's Patrol District and the City shall provide law enforcement services.
2. The Sheriff's Office will consider requests to provide law enforcement services to the City on a contractual basis consistent with the County's law enforcement contracting policy.
3. For the purposes of this Agreement, the County/Sheriff's Office and City shall work together and with other cities to define the level of service being provided to residents of all local jurisdictions in the County.

## **EXHIBIT D**

### **PROVISIONS OF AGREEMENT FOR PARKS, RECREATION AND OPEN SPACE**

CITY, COUNTY, and METRO agree:

1. That the CITY shall be the designated provider of park, recreation and open space services to the King City Urban Service Area (KCUSA) shown on Map A. Actual provision of such services by the CITY to lands within the KCUSA is dependent upon lands being annexed to the CITY.
2. That standards for park, recreation, and open space services within the KCUSA will be as described in the CITY'S park master plan.
3. That upon adoption of its park master plan, the CITY shall address all the lands within the KCUSA.
4. That the CITY and COUNTY will coordinate with Metro to investigate funding sources for acquisition and management of parks, which serve a regional function.
5. That Metro may own and be the provider of region-wide parks, recreation and open space facilities within the KCUSA. Metro Greenspace and Parks facilities typically are to serve a broader population base than services provided to residents of the KCUSA by the CITY. Where applicable, the CITY, COUNTY, and METRO will coordinate park and recreation facility development, management and services.



## **EXHIBIT E**

### **PROVISIONS OF AGREEMENT FOR ROADS AND STREETS**

CITY and COUNTY agree:

#### **1. Existing Conditions and Agreements**

- A. The COUNTY shall continue to retain jurisdiction over arterials and collectors within the King City Urban Service Area (KCUSA) that are specified on the COUNTY-wide roadway system in the Washington County Transportation Plan. The CITY shall accept responsibility for public streets, local streets, neighborhood routes and collectors and other streets and roads that are not part of the COUNTY-wide road system within its boundaries upon annexation if the street or road meets the agreed upon standards described in Section 2.C (2) below. Currently, the arterial and collectors in the KCUSA are not part of the COUNTY-wide roadway system.
- B. The COUNTY and CITY agree to share equipment and services with emphasis on tracking of traded services and sharing of equipment without resorting to a billing system, and improved scheduling of services. Additionally, the COUNTY and CITY shall work to improve coordination between the jurisdictions so that the sharing of equipment and services is not dependent on specific individuals within each jurisdiction. The COUNTY and CITY shall establish a uniform accounting system to track any sharing and provision of services.
- C. Upon annexation to the CITY, the annexed area shall no longer be served by the Urban Road Maintenance District (URMD). The CITY's annexation ordinance shall withdraw the area from URMD so that the property owners will not be assessed the URMD's tax rate.
- D. Upon annexation to the CITY, the CITY shall automatically assume responsibility for street lighting on public streets and COUNTY streets and roads that will be transferred to the CITY due to the annexation. The COUNTY shall inform PGE when there is a change in responsibility for street lighting. When the annexed area is part of the Washington County Service District for Street Lighting No. 1, the CITY's annexation ordinance shall withdraw the area from that district.

#### **2. Road Transfers**

Transfer of jurisdiction may be initiated by a request from the CITY or the COUNTY.

- A. Road transfers shall include the entire right-of-way and proceed in a logical manner that prevents the creation of segments of COUNTY roads within the CITY'S boundaries. For Beef Bend Road, where the right of way will be divided between two cities along the centerline as noted in Sections III and IV, jurisdiction will be transferred when the full

width of the right of way is within the adjacent cities. The jurisdiction of Beef Bend Road will be transferred when the full width of the right of way is within the adjacent city as described in Sections III and IV of this AGREEMENT.

B. Within thirty days of annexation, the CITY will initiate the process to transfer jurisdiction of COUNTY and public streets and roads within the annexed area, including local streets, neighborhood routes, collectors and other roads that are not on the COUNTY-wide road system. The transfer of roads should take no more than one year from the effective date of annexation.

C. The COUNTY:

(1) To facilitate the road transfer process, the COUNTY will prepare the exhibits that document the location and condition of streets to be transferred upon receipt of a transfer request from the CITY.

(2) Prior to final transfer, the COUNTY:

- a. Shall complete any maintenance or improvement projects that have been planned for the current fiscal year or transfer funds for those projects to the CITY.
- b. Shall provide the CITY with any information it may have about any neighborhood or other concerns about streets or other traffic issues within the annexed area. This may be done by providing copies of COUNTY project files or other documents or through joint meetings of CITY and COUNTY staff members.
- c. Shall make needed roadway improvements so that all individual roads or streets within the area to be annexed have a pavement condition index (PCI) of more than 40 and so that the average PCI of streets and roads in the annexed area is 75 or higher. As an alternative to COUNTY-made improvements, the COUNTY may pay the CITY'S costs to make the necessary improvements.
- d. Shall inform the CITY of existing maintenance agreements, Local Improvement Districts established for road maintenance purposes, and of plans for maintenance of transferred roads. The COUNTY shall withdraw the affected territory from any road maintenance LIDs formed by the COUNTY.

D. The CITY:

(1) Agrees to accept all COUNTY roads and streets as defined by ORS 368.001(1) and all public roads within the annexed area that are not part of the COUNTY-wide road system, provided the average PCI of all COUNTY and public roads and streets that the CITY is to accept is 75 or higher as defined by the COUNTY'S pavement management system. If any individual COUNTY or public street or road that the CITY is to accept within the area has an average PCI of 40 or less at the time of annexation, the CITY shall assume jurisdiction of the road or street only after the COUNTY has complied with Section 2.C.(2) of this exhibit.

(2) Shall, in the event the transfer of roads does not occur soon after annexation, inform the newly annexed residents of this fact and describe when and under what conditions the transfer will occur and how maintenance will be provided until the transfer is complete.

E. The CITY shall be responsible for the operation, maintenance and construction of roads and streets transferred to the CITY as well as public streets annexed into the CITY. CITY road standards shall be applicable to transferred and annexed streets. The CITY shall also be responsible for the issuance of access permits and other permits to work within the right-of-way of those streets.

### 3. Road Design Standards and Review Procedures and Storm Drainage

The CITY and COUNTY shall agree on:

A. The CITY and COUNTY urban road standards and Clean Water Service standards that will be applicable to the construction of new streets and roads and for improvements to existing streets and roads that eventually are to be transferred to the CITY, and streets and roads to be transferred from the CITY to the COUNTY;

B. The development review process and development review standards for COUNTY and public streets and roads within the KCUSA, including COUNTY streets and public streets and roads that will become CITY streets, and streets and roads that are or will become part of the COUNTY-wide road system; and

C. Maintenance responsibility for the storm drainage on COUNTY streets and roads within the KCUSA in cooperation with Clean Water Services.

### 4. Review of Development Applications and Plan Amendments

A. The COUNTY and CITY, in conjunction with other Washington County cities and the Oregon Department of Transportation (ODOT), shall agree on a process(es) and review criteria (e.g., types and levels of analysis) to analyze and condition development applications and plan amendments for impacts to COUNTY and state roads.

B. The review process(es), review criteria, and criteria to condition development and plan amendment applications shall be consistent with the *Oregon Highway Plan*, the *Regional Transportation System Plan*, COUNTY and CITY Transportation Plans and Chapter 6 of METRO'S *Urban Growth Management Functional Plan*.

### 5. Maintenance Cooperation

A. The COUNTY and CITY shall consider developing an Urban Road Maintenance Agreement within the KCUSA area for the maintenance of COUNTY and CITY facilities.

B. The COUNTY and CITY, in conjunction with other Washington County cities, shall develop a set of minimum right-of-way maintenance standards and levels of activity to be

used in performance of services provided under the exchange of services agreement described above in Section 5.A.

- C. The COUNTY may contract with the CITY for the maintenance of COUNTY streets and roads within the KCUSA utilizing an agreed upon billing system.

6. Implementation

Within one year of the effective date of this AGREEMENT, the CITY and COUNTY agree to develop a schedule that describes when the provisions of this exhibit shall be implemented.

## **EXHIBIT F**

### **PROVISIONS OF AGREEMENT FOR SANITARY SEWER AND STORM WATER MANAGEMENT**

CLEAN WATER SERVICES (CWS), CITY and COUNTY agree:

1. As a county service district organized under ORS 451, CWS has the legal authority for the sanitary sewage and storm water (surface water) management within the CITY and the urban unincorporated area. CWS develops standards and work programs, is the holder of the National Pollutant Discharge Elimination System (NPDES) Permit, and operates the sanitary sewage treatment plants.
2. Consistent with Section 1 above, the operating agreement between the CITY and CWS describes the local sanitary sewer and storm water services tasks each party performs within the CITY. This agreement shall be modified by the CITY and CWS on an as-needed basis.
3. CWS responsibilities for the King City Urban Service Area under the current CITY / CWS operating agreement are:
  - A. Operation, maintenance and repair of the sewer and storm water systems, including the inspection, installation and rehabilitation of sewer and storm water facilities, engineering plan review and issuance of necessary permits; and
  - B. Master and watershed planning.
    - (1) Watershed plans prepared by CWS for storm water management shall address the major collection system as well as the open-channel system to identify projects for funding; and
    - (2) The CITY will be permitted to conduct such planning as long as such plans meet CWS standards. CWS and the CITY shall use uniform standards, such as computer modeling, to conduct such studies. CWS and the CITY shall determine their respective cost-sharing responsibility for conducting such studies.
4. CWS and the CITY, in conjunction with other Washington County cities using the City/District Committee established by CWS, shall develop uniform procedures for the coordination and participation between CWS, the CITY and other cities when doing master and watershed planning.

## **EXHIBIT G**

### **PROVISIONS OF AGREEMENT FOR WATER SERVICE**

TIGARD WATER DISTRICT (TWD), CITY and COUNTY agree:

1. Supply:

- A. TWD shall continue to provide water service to all unincorporated properties in the King City Urban Service Area (KCUSA) pursuant to the Intergovernmental Agreement between TWD and TIGARD effective January 1, 1994. The CITY shall be the water provider to the incorporated area of the KCUSA pursuant to the Intergovernmental Agreement between CITY and TIGARD effective January 1, 1994. Properties that annex to the CITY shall be withdrawn from the TWD and water service shall then be provided by the CITY.
- B. Future supply and conservation issues between the CITY, TWD and TIGARD may be addressed through the Intergovernmental Water Board established by the IGAs to the extent reasonable and practicable for these water providers. Future supply and conservation issues may also be addressed through the Regional Water Consortium (Consortium) to the extent reasonable and practicable for water providers in Washington County. Water providers in the KCUSA shall also participate in the Consortium and may use it as a forum for raising, discussing and addressing supply issues.
- C. The Consortium may also serve as a forum to discuss and resolve water political issues to the extent reasonable and practicable for water providers in Washington County. The Consortium is an appropriate forum to bring elected officials together and for promoting more efficient working relationships on water supply and conservation issues.
- D. Intergovernmental agreements shall address ownership of interconnections between CITY and TWD sources for the purpose of wholesale provision of water from one entity to the other, for emergency use, or in the case of a boundary change that involves the site of the interconnection.

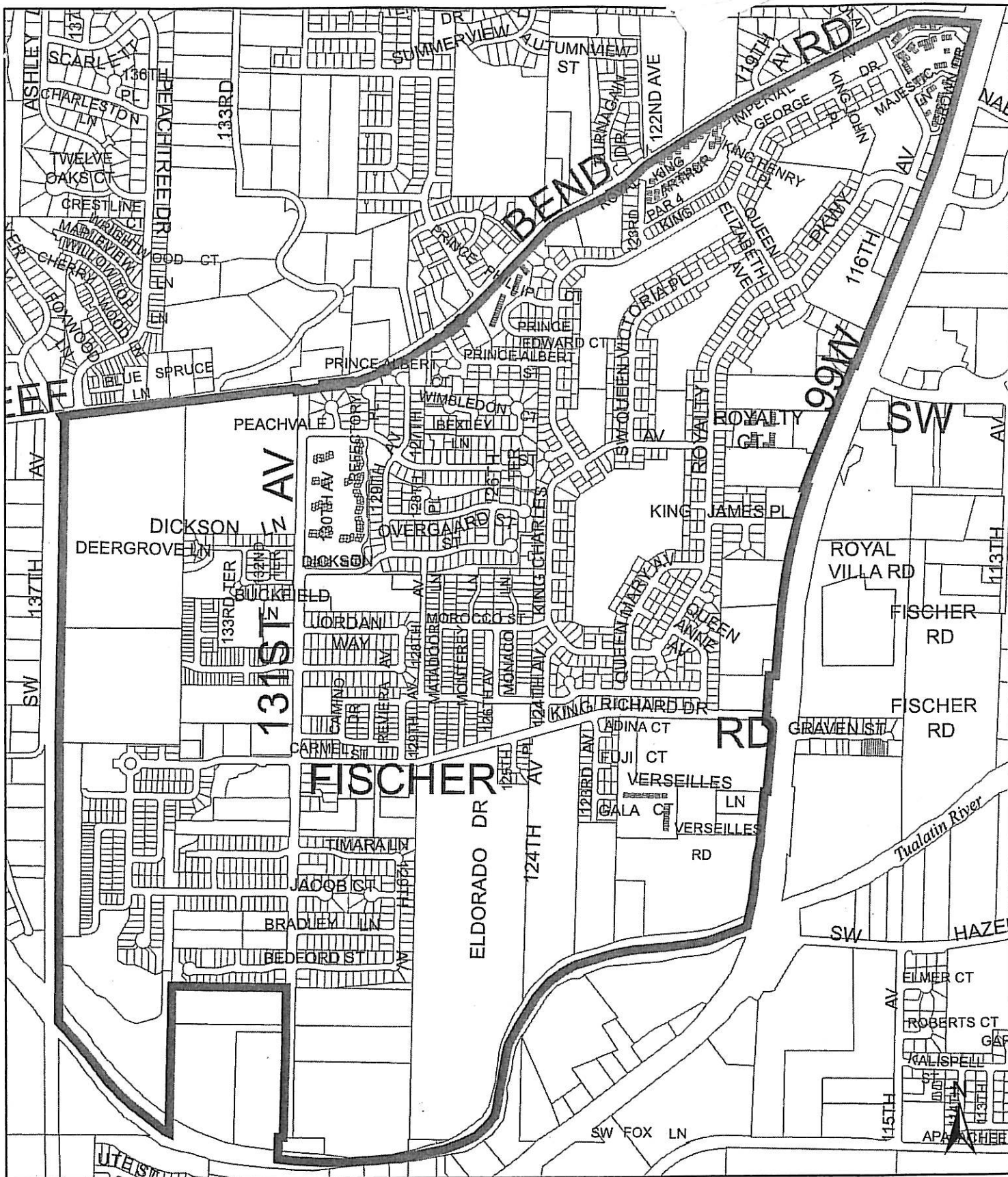
2. Maintenance/Distribution:

- A. TWD and the CITY do not anticipate any events in the foreseeable future that would necessitate maintenance, rehabilitation or replacement beyond the financial reach of any of the water providers in the KCUSA. Each provider will continue to be responsible for providing the financial revenue stream through rates and charges and to accrue adequate reserves to meet foreseeable major maintenance needs in the KCUSA.
- B. TWD, CITY, and COUNTY agree to maintain and participate in the Cooperative Public Agencies of Washington County in order to efficiently share and exchange equipment and services.

- C. To the extent reasonable and practicable, TWD, TIGARD and the CITY shall coordinate state-mandated underground utility locating services to efficiently provide service within the urban service area.
  - D. TWD, TIGARD and CITY agree to provide to one another copies of as-builts of existing and new facilities and other types of water system maps for the purposes of facilitating planning, engineering and design of other utilities or structures that may connect, intersect or be built in proximity to CITY facilities. The CITY agrees to incorporate such mapping into its GIS mapping system of utilities and other facilities. TWD, TIGARD and CITY agree to develop and maintain a common, ongoing, up-to-date GIS mapping system showing water facilities within the KCUSA.
3. Customer Service/Water Rates:
- A. Price of supply and bonded indebtedness will most likely have the greatest impact on rates.
  - B. TWD and the CITY believe that rates are equitable within the KCUSA.
  - C. Given adequate water pressure, the level and quality of service should not be an issue for most customers.
4. Withdrawal/Annexation/Merger:

Modifications to the current jurisdictional boundary of a water provider shall comply with the provisions of Sections IX. E. and F. and any applicable law, including but not limited to State Statutes and the METRO Code. TWD and the CITY shall continue to work together to adjust boundaries as appropriate to improve the cost-effectiveness and efficiency of providing service.





# Map A



King City Urban Service Area Boundary



**GIS**  
Geographic  
Information  
Systems

The information on this map was derived from several databases and care was taken in its creation. Washington County cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties for this product. However, notification of any errors will be appreciated.  
Washington County Department of Land Use & Transportation  
Planning Division, 155 N. First Ave., Suite 350-14, Hillsboro, OR 97124  
(503) 846-3519. Email: [luplan@co.washington.or.us](mailto:luplan@co.washington.or.us)  
S:\Planning\WPSHARE\SBT22\KING CITY  
USA\Urban Service Agreement\map\_A.mxd  
DM 5/31/06

**ADDENDUM TO  
KING CITY URBAN SERVICE AGREEMENT**

This ADDENDUM to the King City Urban Service Agreement ("KCUSA" or "AGREEMENT") is made and entered into by and between Washington County, a municipal corporation of the State of Oregon, including its service districts other than Clean Water Services, hereinafter "COUNTY", the City of King City, municipal corporation of the State of Oregon, hereinafter "CITY", the City of Tigard, municipal corporation of the State of Oregon, hereinafter "TIGARD", the City of Tualatin, municipal corporation of the State of Oregon, hereinafter "TUALATIN", Metro, a metropolitan service district of the State of Oregon, hereinafter "METRO", and the following Special Districts of the State of Oregon, hereinafter "DISTRICTS":

Clean Water Services ("CWS");  
Tigard Water District ("TWD");  
TriMet ("TRIMET"); and  
Tualatin Valley Fire and Rescue District (TVF&R")

**RECITALS**

WHEREAS, Section IV(B) of the KCUSA states that TUALATIN is a party to that AGREEMENT solely for the purpose of designating the common boundary between the KCUSA and TUALATIN's urban planning area;

WHEREAS, certain Sections of the KCUSA use the term "parties" or "any party" or other variations without expressly excluding TUALATIN creating some ambiguity as to whether TUALATIN is bound by the KCUSA other than for the purpose of designating the common boundary between the KCUSA and TUALATIN's urban planning area;

WHEREAS, TUALATIN and the parties wish to clarify that TUALATIN is a party to the KCUSA solely for the purpose discussed under Section IV(B) and is not obligated to the roles and responsibilities provided in the remainder of KCUSA.

NOW THEREFORE, the premises being in general as stated in foregoing recitals, it is agreed by and between the parties to include the following text as an addendum to the KCUSA as follows:

TUALATIN is a party to the AGREEMENT solely for the purpose of designating the common boundary between the King City Urban Service Area and TUALATIN's urban planning area and for no other purpose. To achieve that limited purpose TUALATIN is bound only by Sections IV, VII, VIII, XI and XII of the KCUSA relating to the common boundary with the CITY and the effective date, term, signature and severability Sections of the AGREEMENT and not the remaining Sections of the AGREEMENT concerning the roles and responsibilities of the remaining parties.

**CITY OF KING CITY**

By: \_\_\_\_\_  
Ron Shay, Mayor

\_\_\_\_\_  
Date

**CITY OF TIGARD**

By: \_\_\_\_\_  
Craig Dirksen, Mayor

\_\_\_\_\_  
Date

**CITY OF TUALATIN**

By: \_\_\_\_\_  
Lou Ogden, Mayor

\_\_\_\_\_  
Date

## CLEAN WATER SERVICES

By: \_\_\_\_\_  
Tom Brian, Chair  
Board of Directors

\_\_\_\_\_ Date

Approved as to Form:

By: \_\_\_\_\_  
District Counsel

**METRO**

By: \_\_\_\_\_  
Council President

\_\_\_\_\_  
Date



**TIGARD WATER DISTRICT**

By: \_\_\_\_\_  
President  
Board of Directors

\_\_\_\_\_ Date

**TRIMET**

By: \_\_\_\_\_  
General Manager

\_\_\_\_\_  
Date

**TUALATIN VALLEY FIRE AND RESCUE DISTRICT**

By: \_\_\_\_\_  
Chairman, Board of Directors

\_\_\_\_\_  
Date

**WASHINGTON COUNTY**

By: \_\_\_\_\_  
Tom Brian, Chair  
Board of County Commissioners

\_\_\_\_\_  
Date

Approved as to Form:

By: \_\_\_\_\_  
County Counsel

Agenda Item #

Meeting Date

August 28, 2007

## **COUNCIL AGENDA ITEM SUMMARY**

City Of Tigard, Oregon

Issue/Agenda Title Resolution Approving Budget Amendment #5 to the FY 2007-08 Budget Increasing Appropriations by \$5,000 in the Social Services/Community Events Budget Within the Community Services Program, to Reflect the costs associated with providing funds to support Washington County's 10 Year Plan to End Homelessness Grant Application.

Prepared By: Robert Sesnon

Dept Head Approval:

RS

City Mgr Approval:

CR

### **ISSUE BEFORE THE COUNCIL**

Shall the City Council approve Budget Amendment #5 to increase appropriations in the Social Services/Community Events budget to reflect the costs of providing funds to support Washington County's 10 Year Plan to End Homelessness grant application?

### **STAFF RECOMMENDATION**

Staff recommends approval of Budget Amendment #5.

### **KEY FACTS AND INFORMATION SUMMARY**

During the August 14, 2007 Council Study Session, the City Council discussed that Washington County is in the process of applying for federal funding that would support the development of a 10 Year Plan to End Homelessness within Washington County. The grant application and local government support is essential to receive federal funding. The estimated total cost of this grant application is \$50,000. Washington County has agreed to pay \$25,000 of this grant application and the Cities of Hillsboro and Beaverton have pledged \$5,000 respectively. City Council agreed to also pledge \$5,000.

This budget amendment will transfer \$5,000 from the General Fund contingency to the Social Services/Community Events budget within the Community Service Program.

### **OTHER ALTERNATIVES CONSIDERED**

None

### **CITY COUNCIL GOALS**

Not Applicable

### **ATTACHMENT LIST**

Resolution including Attachment A.

### **Fiscal Notes**

This amendment reduces the General Fund contingency by \$5,000.

CITY OF TIGARD, OREGON  
TIGARD CITY COUNCIL  
RESOLUTION NO. 07-\_\_\_\_\_

A RESOLUTION APPROVING BUDGET AMENDMENT #5 TO THE FY 2007-08 BUDGET TO INCREASE APPROPRIATIONS IN THE SOCIAL SERVICES/COMMUNITY EVENTS BUDGET WITHIN THE COMMUNITY SERVICES PROGRAM TO REFLECT THE COSTS ASSOCIATED WITH PROVIDING FUNDS TO SUPPORT WASHINGTON COUNTY'S 10 YEAR PLAN TO END HOMELESSNESS GRANT APPLICATION.

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WHEREAS, During the August 14, 2007 Council business meeting the City Council agreed to contribute \$5,000 to help fund Washington County's 10 Year Plan to End Homelessness Grant Application; and

WHEREAS, it is now necessary to amend the FY 2007-08 Budget to increase appropriations in the Community Services budget to pay for this expenditure.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The FY 2007-08 Budget is hereby amended as shown in Attachment A to this resolution to transfer \$5,000 from the General Fund contingency to the Social Services/Community Events budget in the Community Services program to contribute funds to support Washington County's 10 Year Plan to End Homelessness Grant Application.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2007.

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Mayor - City of Tigard

ATTEST:

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City Recorder - City of Tigard

City of Tigard  
Attachment A  
Fiscal Year 2007-08  
Budget Amendment #5

	Original Revised Budget	Amendment	Revised Revised Budget
<b>General Fund</b>			
<b>Resources</b>			
Beginning Fund Balance	\$8,838,290		\$8,838,290
Property Taxes	10,995,778		10,995,778
Interagency Revenues	4,284,888		4,284,888
Fees & Charges	1,411,350		1,411,350
Fines and Forfeitures	797,400		797,400
Franchise Fees	3,974,545		3,974,545
Interest Earnings	336,345		336,345
Other Revenues	20,000		20,000
Transfers In from Other Funds	2,965,162		2,965,162
<b>Total Resources</b>	<b>\$33,623,758</b>	<b>\$0</b>	<b>\$33,623,758</b>
<b>Requirements</b>			
Community Service Program	14,616,700	5,000	14,621,700
Public Works Program	3,084,603		3,084,603
Community Development Program	3,384,411		3,384,411
Policy & Administration Program	416,368		416,368
General Government	30,000		30,000
<b>Program Expenditures Total</b>	<b>\$21,532,082</b>	<b>\$5,000</b>	<b>\$21,537,082</b>
Debt Service	0		0
Loan to CCDA	80,000		80,000
Capital Projects	0		0
Transfers to Other Funds	6,257,877		6,257,877
Contingency	491,512	(5,000)	486,512
<b>Total Budget</b>	<b>\$28,361,471</b>	<b>\$0</b>	<b>\$28,361,471</b>
<b>Ending Fund Balance</b>	<b>5,262,288</b>	<b>0</b>	<b>5,262,288</b>
<b>Total Requirements</b>	<b>\$33,623,759</b>	<b>\$0</b>	<b>\$33,623,759</b>



Agenda Item #  
Meeting Date

August 28, 2007

**COUNCIL AGENDA ITEM SUMMARY**  
City Of Tigard, Oregon

Issue/Agenda Title Third Annual Family Fest Announcement

Prepared By: Joanne Bengtson

Dept Head Approval: CR

City Mgr Approval: CR

**ISSUE BEFORE THE COUNCIL**

Announcement to remind the Council and public about the 3<sup>rd</sup> Annual Family Fest scheduled for September 6-8, 2007.

**STAFF RECOMMENDATION**

No action necessary, briefing only.

**KEY FACTS AND INFORMATION SUMMARY**

A new holiday was born for the City of Tigard when a young girl wrote Mayor Craig Dirksen in 2005 requesting a day to celebrate families. Jennifer Ries, daughter of David & Lori Ries, accepted the invitation to join a special committee that would work together to organize the celebration. It was so popular the City Council chose to make it an annual event.

Inspired by Jennifer, many hands and hearts are involved in making this event a success. Family Fest illustrates a community working together to make great things happen. Family Fest is an opportunity to show why Tigard is a great place to call home. The City of Tigard is pleased to continue the Family Fest tradition which began three years ago.

**OTHER ALTERNATIVES CONSIDERED**

N/A

**CITY COUNCIL GOALS**

**ATTACHMENT LIST**

Event Poster with schedule

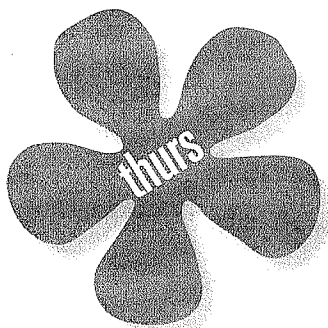
**FISCAL NOTES**

Family Fest budgeted \$6,500 in the 2007-08 Budget. It is listed under the Community Events section.

# 3rd Annual City of Tigard's familyfest

**September 6th – 8th, 2007**  
thursday • friday • saturday

*Join us for three fun-filled days in Tigard!*



## Thursday, September 6th

Events held in the Library Community Room and Technology Room

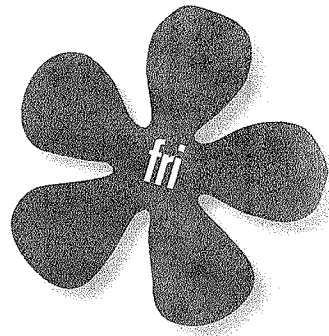
- 7:00 p.m. – 8:00 p.m. **BJ the Clown and Mad Hatter Unbirthday Party**
- 6:00 p.m. – 8:00 p.m. **Genealogy Research**



## Friday, September 7th

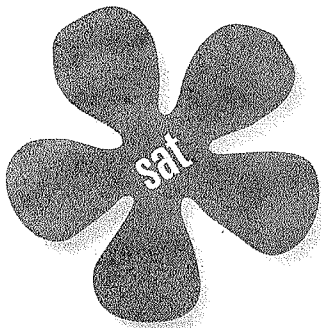
Event held in the Library Community Room

- 7:00 p.m. – 9:15 p.m. **Movie Night**  
Enjoy a movie and treats on us!



## Saturday, September 8th

- 9:00 a.m. – 12:00 p.m. **Fun Run and Breakfast**  
Register online or at City Hall, then we're on the run, ending with a delicious free breakfast
- 1:00 p.m. – 4:00 p.m. **Scavenger Hunt**  
Meet up at City Hall, then the search begins throughout downtown Tigard
- Hungry for dinner? **Picnic at the Library**  
Pack a picnic for the evening – we'll supply the desert! On the grounds outside the Tigard Public Library
- 7:15 p.m. – 7:30 p.m. **Magic Show**  
Enjoy the slight of hand of Magician Tom Waldrop in the Library Community Room
- 7:30 p.m. – 8:00 p.m. **Tualatin Valley Community Band**  
Performing throughout the evening in the Library Community Room
- 7:00 p.m. – 8:00 p.m. **Ice Cream – yum!**  
Served at the Library by Tigard Lions Club to celebrate Tigard's 46th Birthday
- 8:00 p.m. – 8:30 p.m. **Fireworks Display**  
Relax and enjoy the show



Agenda Item #

Meeting Date

August 28, 2007

## CITY CENTER DEVELOPMENT AGENCY AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title Selection of Downtown Plaza Location

Prepared By: Phil Nachbar

Dept Head Approval:

TC

City Mgr Approval:

CP

### ISSUE BEFORE THE CITY CENTER DEVELOPMENT AGENCY

Shall Council select the Stevens Marine site for the location of a public plaza in Downtown?

### STAFF RECOMMENDATION

Staff recommends approval of the attached resolution selecting the Stevens Marine property for the location of the Downtown Public Plaza. Staff also recommends endorsement of the concept plan for the Downtown core area surrounding Scheme 1 (Stevens Marine site).

### KEY FACTS AND INFORMATION SUMMARY

Background: On April 17, 2007, the City contracted with Walker Macy, landscape architects, to develop a master plan for the Fanno Creek Park. The scope of work includes a Plaza Location Study and both Park and Plaza design. The decision to locate a public plaza in Downtown is a key community decision and a deliberate process was set up to allow for discussion over a 2-month timeframe.

At the July 24 Council meeting, consultants Walker Macy with assistance from Chris Zahas of Leland Associates, presented the four (4) Plaza options currently under consideration. At the meeting, it was suggested that Council consider the options, provide feedback, but not make a final decision until more discussions with the public, Downtown business and property owners, the Fanno Park & Plaza Steering Committee, and the City Center Advisory Commission(CCAC) had taken place.

The discussion about the location of the public plaza has included the Fanno Creek Park & Plaza Steering Committee as the lead group, the CCAC (whose focus is Downtown Urban Renewal projects), Downtown property owners and businesses (the group perhaps most directly affected by the decision), the public at-large, and the City Council. Nine (9) public meetings, including an open house, have been held in which the public and Downtown property and business owners were invited to attend. The open house on July 28<sup>th</sup> had forty (40) people in attendance with active discussion for the full two hours.

Conclusions: In general, the plaza site options vary by their ability to be "activated" (used by people), to catalyze redevelopment opportunities, and their connection to the Fanno Creek Park.

The strategy for redevelopment in the core area of Downtown includes the construction of a plaza and an adjacent redevelopment project at the same time. Therefore, in evaluating the location of the Downtown Plaza, careful consideration should be given to the redevelopment potential of adjacent properties. Because the City Center

Development Agency (CCDA) operates in a "willing seller" environment without the powers of condemnation, the willingness of adjoining property owners to cooperate with the City for redevelopment is critical.

All of the options for the plaza are feasible, and could accommodate anticipated uses for a public plaza in Downtown. However, the Stevens Marine property (Scheme 1) is the most viable option among those under consideration. At its August 8th meeting, the Fanno Creek Steering Committee passed a motion (7 for, 1 absent, 1 abstention) recommending the Stevens Marine site as the location for the Downtown Plaza.

The Stevens Marine site provides the following advantages that differentiate it from the other sites:

- 1) its location supports the recommendation of the Tigard Downtown Improvement Plan by having a direct connection to Fanno Creek Park;
- 2) it will provide views of the park, has the potential to be more fully integrated into the Park, and could conveniently accommodate a nearby Farmer's market by temporary closure of side streets;
- 3) it is located directly adjacent to the Dolan property, which at minimum, is large enough to support a redevelopment project in association with the plaza. The Dolan property has high redevelopment potential with a low improvement to land value and there would be no disruption to an existing business. Dan Dolan, owner of the property, has openly expressed a willingness to work with the City for a redevelopment project;
- 4) it allows for a potentially larger adjacent redevelopment site if the Dolan property were combined with the Woodard property (Liquor Store property). Larger redevelopment sites are more developable and would be perceived as an asset to a potential developer;
- 5) it would require less initial property acquisition for park, plaza, and a redevelopment property. It would include the use of a minimum two (2) properties acquisitions, the Stevens Marine property and the Dolan property. Other options would necessitate the use of three (3) properties, except the Carwash site;
- 6) visibility, considered an important factor for use, could be established by creating a wide, pedestrian-oriented, sidewalk space along Burnham St. to Main St., linking the plaza with either a smaller public plaza as part of a redevelopment site on Main St. or by extending redevelopment to Main Street along Burnham Street.

The CCAC has been shown the location options and will consider recommendations at its August 22nd meeting. Pending the outcome of the meeting, their recommendations will be presented at the August 28th Council meeting.

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#### **OTHER ALTERNATIVES CONSIDERED**

All four (4) plaza location options under consideration are feasible and have been evaluated.

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## CITY COUNCIL GOALS

A key Council goal for 2007 is to promote community fabric in the Downtown by developing a Public Square. Location of the Downtown Plaza furthers this Council goal and continues the effort to implement the Downtown Plan.

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## ATTACHMENT LIST

- Attachment 1: Proposed resolution selecting the Stevens Marine site as the public plaza location in Downtown Tigard
- Attachment 2: Memo to Council dated August 14, 2007
- Attachment 3: Map of Potential Plaza Sites
- Attachment 4: Plaza Location Matrix
- Attachment 5: Plaza Location Schemes (CAD)
- Attachment 6: Comparison of Plaza Location Options
- Attachment 7: Open House July 28<sup>th</sup>- Public Comments

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## FISCAL NOTES

There are no direct costs associated with this decision, although there are assumptions with regard to construction of the plaza and adjoining redevelopment project. At minimum, the assumptions include: acquisition of the Stevens Marine property and the Dolan property fronting Burnham Street. There is a funding strategy and 5-year capital improvement plan in place to execute urban renewal projects in the Downtown. However, each project will have to be separately evaluated to determine the best mechanism of funding.

CITY OF TIGARD, OREGON  
TIGARD CITY COUNCIL  
RESOLUTION NO. 07-\_\_\_\_\_

A RESOLUTION SELECTING THE LOCATION FOR THE DOWNTOWN PUBLIC PLAZA

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WHEREAS, the City of Tigard has approved the Tigard Downtown Improvement Plan and City Center Urban Renewal Plan, which identify Fanno Creek Park between Hall Blvd. and Main Street, and a public plaza as key catalyst projects for Downtown; and

WHEREAS, the use of Tax Increment Financing was approved by voters in May 2006, providing a long-term financing plan for projects within the City Center Urban Renewal District; and

WHEREAS, the City has conducted a Plaza Location Study to identify and evaluate options for the location of a Public Plaza in Downtown;

WHEREAS, the Stevens Marine property as location for the Public Plaza meets the intent of the Tigard Downtown Improvement Plan, can be designed to meet the long-term needs of the community, and provides the potential for redevelopment of adjoining property.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: A Downtown Public Plaza shall be located approximately as identified in attached Exhibit A (Scheme 1, Stevens Marine property).

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2007.

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Mayor - City of Tigard

ATTEST:





## Plaza Location Scheme 1

Fanno Creek Park & Public Use Area  
The City of Tigard | June 11, 2007





# MEMORANDUM

TO: City Council

FROM: Phil Nachbar, Downtown Redevelopment Manager

RE: Selection of Downtown Plaza Location

DATE: August 14, 2007

Background: On April 17, 2007, the City contracted with Walker Macy, landscape architects, to develop a master plan for the Fanno Creek Park. The scope of work includes a Plaza Location Study and both Park and Plaza design. The decision to locate a public plaza in Downtown is a key community decision and a deliberate process was set up to allow for discussion over a 2-month timeframe.

At the July 24 Council meeting, consultants Walker Macy, with assistance from Chris Zahas of Leland Associates, presented the four (4) Plaza options currently under consideration. At the meeting, it was suggested that Council consider the options, provide feedback, but not make a final decision until more discussions with the public, Downtown business and property owners, the Fanno Park & Plaza Steering Committee, and the City Center Advisory Commission (CCAC) had taken place.

The discussion about the location of the public plaza has included the Fanno Creek Park & Plaza Steering Committee as the lead group, the CCAC (whose focus is Downtown Urban Renewal projects), Downtown property owners and businesses (the group perhaps most directly affected by the decision), the public at-large, and the City Council. Meetings and open houses have been held in which the public and Downtown property and business owners were invited to attend. In addition, the City has been conducting monthly Downtown updates at the Chamber of Commerce every 3rd Tuesday of the month. The plaza location options were presented twice at this Chamber forum to encourage Downtown businesses and property owners to express their concerns.

For the first Open House on July 28th, approximately 700 letters were sent out to the public (300 to Downtown business / property owners, 200 interested parties, 200 randomly selected home owners in Tigard). Another 200 emails were sent to the Downtown interested party list for the Open House. Additional meetings are listed below:

- July 11 - Fanno Creek Park & Plaza Steering Committee, Library Community Room
- July 11 - Kiwanis Club, Café Allegro
- July 17th - Chamber of Commerce Noon Hour, Downtown Update
- July 18th - City Center Advisory Commission (CCAC) Meeting, Town Hall
- July 24th - City Council Meeting Presentation, Tigard City Hall

- August 8th - Fanno Creek Park & Plaza Steering Committee, Library Community Room
- August 21st - Chamber of Commerce Noon Hour, Downtown Update
- August 22nd - City Center Advisory Commission (CCAC), Library Community Room
- August 28th - Council Meeting, Tigard Town Hall

The Plaza Location Study is intended to help the community decide where the plaza should be located. Initially, criteria were determined by the consultant team with staff input to identify several potential locations for the Downtown Plaza. The criteria were based on the Tigard Downtown Improvement Plan, the ability to create a highly active space used on a regular basis, and the capacity to catalyze redevelopment. The criteria for selection of the plaza are: connection to the park, potential for adjacent property redevelopment, redevelopment with 5-10 year time frame, visibility, and community edges (adjacent streets).

After initial screening, four (4) sites remained on the list of potential plaza sites:

- Stevens Marine, Inc. site (east of Dolan property on Burnham St.)
- Liquor Store site (SE corner of Main St. / Burnham St.)
- Dolan Property on Burnham St. (directly east of the Liquor Store site)
- Car Wash site (intersection of Main St. / Burnham St.)

Conclusions: In general, the plaza site options vary by their ability to be "activated" (used by people), to catalyze redevelopment opportunities, and their connection to the Fanno Creek Park.

- Scheme 1 (Steven Marine site) has the strongest direct connection to Fanno Creek Park, less visibility from Main Street, but strong redevelopment potential with adjoining property.
- Scheme 2 (Liquor Store site) has been determined by consultants to have the highest potential to be activated and used on an everyday basis, and to stimulate redevelopment activities on Main St. itself.
- Scheme 5 (Dolan site) is not as strong as the Liquor Store site in terms of its visibility and ability to be activated for use.
- Scheme 6 (Car Wash site) is highly visible, has the capacity to stimulate redevelopment, but has associated noises problems as a result of its proximity to 99W, and is the furthest from the Park.

The strategy for redevelopment in the core area of Downtown includes the construction of a plaza and an adjacent redevelopment project at the same time. Therefore, in evaluating the location of the Downtown Plaza, careful consideration should be given to the redevelopment potential of adjacent properties. Because the City Center Development Agency (CCDA) operates in a "willing seller" environment without the powers of condemnation, the willingness of adjoining property owners to cooperate with the City for redevelopment is critical.

All of the options for the plaza are feasible, and could accommodate anticipated uses for a public plaza in Downtown. However, the Stevens Marine property (Scheme 1) is the most viable option among those under consideration. At its August 8th meeting, the Fanno Creek Steering Committee

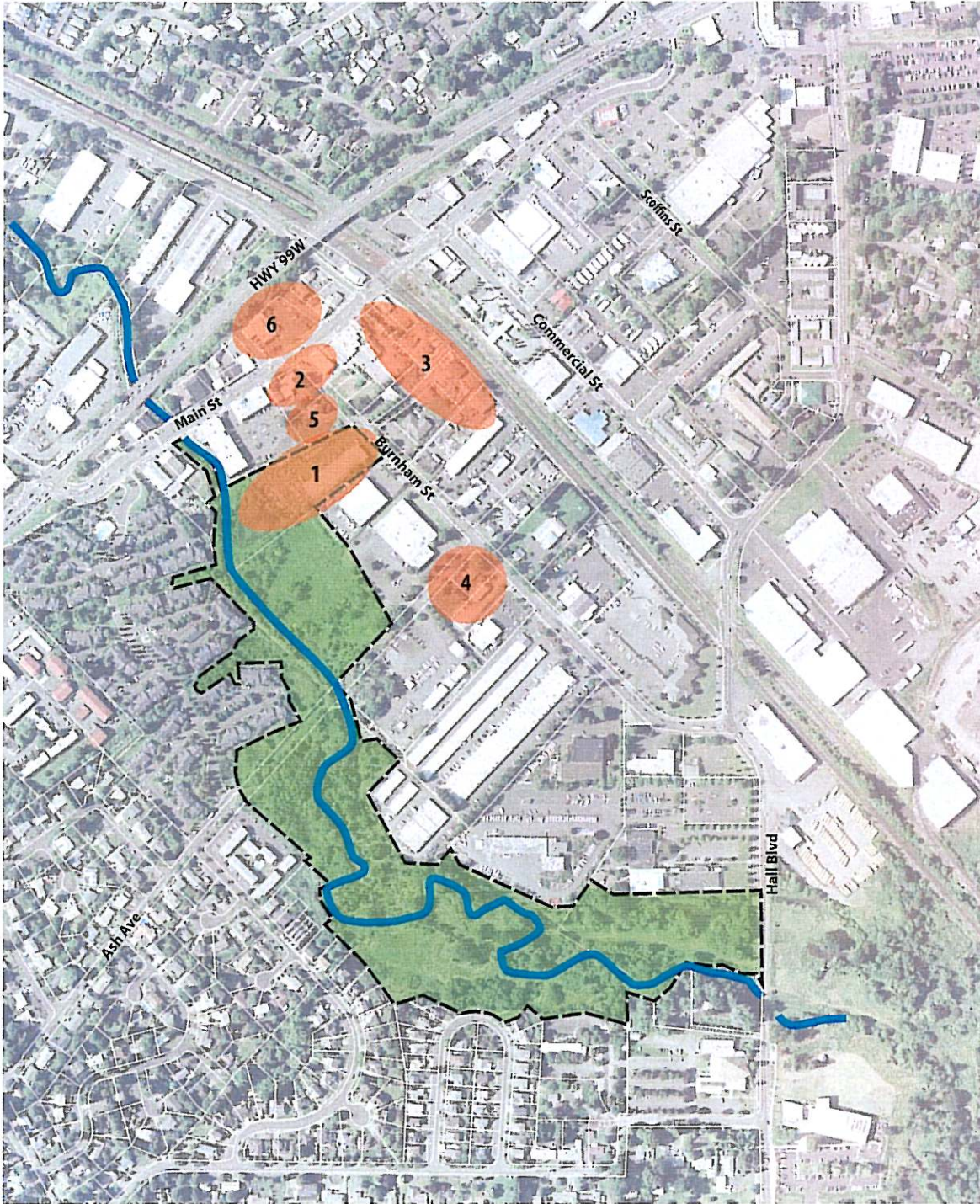
passed a motion (7 for, 1 absent, 1 abstention) recommending the Stevens Marine site as the location for the Downtown Plaza.

The Stevens Marine site provides the following advantages that differentiate it from the other sites:

- 1) its location supports the recommendation of the Tigard Downtown Improvement Plan by having a direct connection to Fanno Creek Park;
- 2) it will provide views of the park, has the potential to be more fully integrated into the Park, and could conveniently accommodate a nearby Farmer's market by temporary closure of side streets;
- 3) it is located directly adjacent to the Dolan property, which at minimum, is large enough to support a redevelopment project in association with the plaza. The Dolan property has high redevelopment potential with a low improvement to land value and there would be no disruption to an existing business. Dan Dolan, owner of the property, has openly expressed a willingness to work with the City for a redevelopment project;
- 4) it allows for a potentially larger adjacent redevelopment site if the Dolan property were combined with the Woodard property (Liquor Store property). Larger redevelopment sites are more developable and would be perceived as an asset to a potential developer;
- 5) it would require less initial property acquisition for park, plaza, and a redevelopment property. It would necessitate use of a minimum two (2) properties, the Stevens Marine property and the Dolan property. Other options would necessitate use of three (3) properties, except the Carwash site;
- 6) visibility, considered an important factor for use, could be established by creating a wide, pedestrian-oriented, sidewalk space along Burnham St. to Main St., linking the plaza with either a smaller public plaza as part of a redevelopment site on Main St. or by extending redevelopment to Main Street along Burnham Street.

The CCAC has been shown the location options and will consider recommendations at its August 22nd meeting. Pending the outcome of the meeting, their recommendations will be presented at the August 28th Council meeting.





## Potential Plaza Locations

Walker Macy  
Sera Architects | APF | PRE Lumo  
Karen Whitman Projects | Roder Hunt

Fanno Creek Park & Public Use Area  
The City of Tigard | June 7, 2007



Fanno Creek Plaza Location Matrix	Criteria					
	Connection to Park	Adjacent Property Redevelopment Potential	Plaza Redevelopable within 5-10 Year Timeframe	Proximity to Commerce (Existing/Future)	Community Edges (Roadways)	Visibility (Location is Clear)
Potential Plaza Sites						
1. Stevens Marine Property	High	North, South & East	Yes	1 Side, North	One	Low
2. Intersection of Main Street and Burnham	Medium	North & South	Yes	4 Sides	Two	High
3. South of Main Street/ West of New Commuter Rail	Low	West	Maybe	2 Sides, North & West	One	Medium
4. Southwest Corner of Ash and Burnham Street	High	North & South	Not Likely	None	Two	Low
5. Residence on Burnham	High	North, South & East	Yes	2 Sides, North & East	One	Medium
6. Car Wash Site	Medium	4 Sides	Yes	4 Sides	One	High

## Plaza Location Matrix



## Plaza Location Scheme 1





## Plaza Location Scheme 2





## Plaza Location Scheme 5





## Plaza Location Scheme 6

## Fanno Creek Plaza Site Comparison

### Scheme 1 - Stevens Marine Property:

Pros	Cons
<ul style="list-style-type: none"> <li>Large enough area for soft-scape and hard-scape; Flexible space can accommodate groups/ events of all sizes</li> </ul>	<ul style="list-style-type: none"> <li>Visibility within downtown reduced</li> </ul>
<ul style="list-style-type: none"> <li>Strong, direct connection with the Park with a more visible opening to the site.</li> </ul>	<ul style="list-style-type: none"> <li>Farthest removed from existing commerce.</li> </ul>
<ul style="list-style-type: none"> <li>More visible opening to the Upland Park may catalyze development beyond adjacent properties.</li> </ul>	
<ul style="list-style-type: none"> <li>Ability to close off side street during events.</li> </ul>	
<ul style="list-style-type: none"> <li>Plaza events/ activities can be regularly scheduled to generate activity.</li> </ul>	<ul style="list-style-type: none"> <li>Will require regularly programmed events to keep it active.</li> </ul>
<ul style="list-style-type: none"> <li>Larger adjacent properties to towards Main St. (Dolan / Liquor Store site) for redevelopment</li> </ul>	
<ul style="list-style-type: none"> <li>Adjacent property towards Main St. (Dolan site) is highly redevelopable (low improvement value, no disruption to business)</li> </ul>	<ul style="list-style-type: none"> <li>Neighboring properties to the southeast (towards Hall blvd) may not support retail on ground floor</li> </ul>





## Scheme 2 - Corner of Main Street and Burnham (Liquor Store Site)

Pros	Cons
<ul style="list-style-type: none"> <li>• Good visibility within downtown</li> </ul>	<ul style="list-style-type: none"> <li>• Connection to Park is visual and through pedestrian improvements along Burnham</li> </ul>
<ul style="list-style-type: none"> <li>• Adjacent redevelopment potential that could include both housing and retail uses</li> </ul>	<ul style="list-style-type: none"> <li>• Tigard Liquor Store is a viable business that draws people downtown, but would have to be relocated to an alternate site downtown</li> </ul>
<ul style="list-style-type: none"> <li>• Traffic/ Vitality</li> </ul>	<ul style="list-style-type: none"> <li>• Traffic/ Noise</li> </ul>
<ul style="list-style-type: none"> <li>• Supports mixed used redevelopment at other parcels along Main Street by providing an amenity on Main Street</li> </ul>	<ul style="list-style-type: none"> <li>• Smaller site area for adjacent redevelopment</li> </ul>
<ul style="list-style-type: none"> <li>• Adjacent property towards Hall Blvd. (Dolan site) is highly redevelopable (low improvement value, no disruption to business)</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>



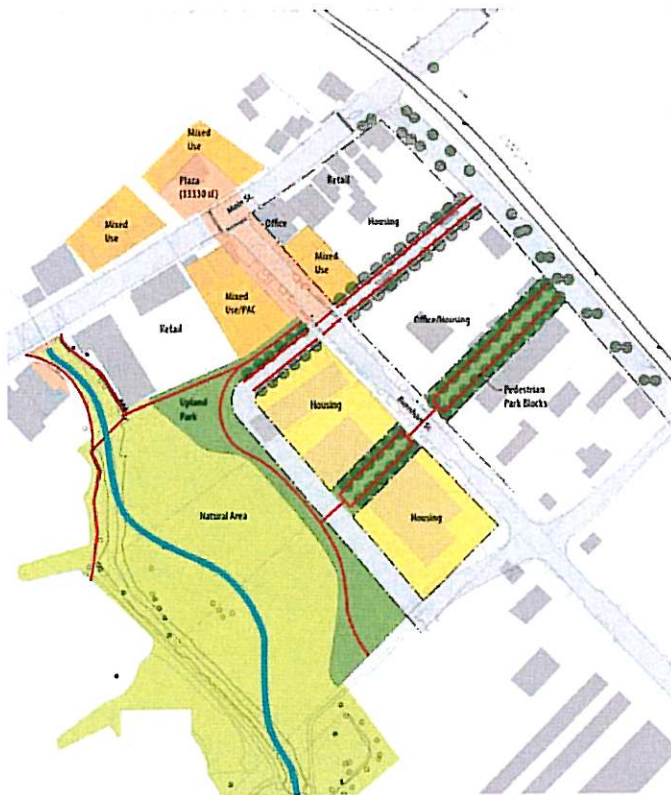
### Scheme 5 – Dolan Property:

Pros	Cons
<ul style="list-style-type: none"> <li>• Could have strong, direct connection to the Park</li> </ul>	<ul style="list-style-type: none"> <li>• Visibility within downtown reduced</li> </ul>
<ul style="list-style-type: none"> <li>• Adjacent redevelopment potential towards southeast (Hall Blvd.) supports housing</li> </ul>	<ul style="list-style-type: none"> <li>• Somewhat removed from downtown retail core</li> </ul>
<ul style="list-style-type: none"> <li>• Adjacent property towards Main St. could be combined with property for larger redevelopment project</li> </ul>	<ul style="list-style-type: none"> <li>• If plaza is developed here, neighboring liquor store site would necessitate redevelopment</li> </ul>
<ul style="list-style-type: none"> <li>• </li> </ul>	<ul style="list-style-type: none"> <li>• If housing developed to the south, would require buffer from plaza</li> </ul>



### Scheme 6 – Car Wash Property:

Pros	Cons
<ul style="list-style-type: none"> <li>Good visibility within downtown</li> </ul>	<ul style="list-style-type: none"> <li>Connection to Park is visual and through pedestrian improvements along Burnham</li> </ul>
<ul style="list-style-type: none"> <li>Site is large enough to accommodate plaza and small retail or mixed-use development</li> </ul>	<ul style="list-style-type: none"> <li>Site is not a good location for housing, the most market-supportable type of development in downtown Tigard in the foreseeable future</li> </ul>
<ul style="list-style-type: none"> <li>Potential for car wash to be relocated to a site with more drive-by auto traffic</li> </ul>	<ul style="list-style-type: none"> <li>Adjacent to 99W; on-site redevelopment must be designed to provide buffer</li> </ul>
<ul style="list-style-type: none"> <li>Provides strong terminus to Burnham; opportunity for gateway structure</li> </ul>	<ul style="list-style-type: none"> <li>Limited capacity to house farmer's market (cannot close off streets)</li> </ul>
<ul style="list-style-type: none"> <li>Supports mixed used redevelopment at other parcels along Main Street by providing an amenity on Main Street</li> </ul>	
<ul style="list-style-type: none"> <li>Traffic/ Vitality</li> </ul>	<ul style="list-style-type: none"> <li>Traffic/ Noise</li> </ul>





# WALKER • MACY

*Landscape Architecture Urban Design Planning*

## DRAFT MEETING NOTES

**PROJECT:** Fanno Creek Park and Plaza Master Plan  
**JOB NUMBER:** 0717.0  
**BY:** Laura Herbon, Walker Macy  
**DATE:** August 2, 2007  
**RE:** July 28th Public Meeting No. 1 – Site Analysis, Programming & Plaza Location

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On Saturday, July 28th, the first of three public meetings was held in the Tigard Library Community Meeting room for the Fanno Creek Park and Plaza project. The purpose of the meeting was to present the existing conditions of the site, site analysis, potential park and plaza program elements that could be considered for the project, and the plaza location study.

Approximately 35 people attended the Public Meeting, including several members of the Steering Committee and the City Mayor. Information was presented at three stations in an informal open house format. The first station focused on existing conditions and site analysis, the second on programming elements and the third on the plaza location study. Public comments were recorded during the conversations at the various stations and comment cards were available for public input as well.

The meeting included the following Staff/ Steering Committee participants:

### ***Consultant Team:***

Laura Herbon  
 Mike Zilis

Project Manager, Walker Macy  
 Principal, Walker Macy

### ***Meeting Participants:***

Phil Nachbar  
 Lisa Olson  
 Michael Freudenthal  
 Dan Dolan  
 Mike Swanda

Senior Planner/ Downtown Development, City of Tigard  
 Volunteer, Project Steering Committee  
 Project Steering Committee  
 Project Steering Committee  
 Project Steering Committee

Following is a summary of the major comments, points of clarification or additional issues raised by the public participants during the group work session:

- The biggest issue is providing parking for new proposed facilities/ plaza/ park. Need to solve the parking problem in Tigard.
- Connect trail for regional access – when??
- The plaza needs to be on Main Street.
- Put the plaza on Main Street. Don't stick it on Burnham out of the main circulation hoping that Burnham will redevelop to high enough level to pull people down it. Successful urban plazas need to be treated as an important land use, not placed in left over space.
- Ensure that proposed use at Main Street – meeting of park and urban life – is highest attraction possible to maximize the street/ foot traffic that will “happen” along into the green spaces. Provide another entrance/ connection that is for intentional visitors. Arts Center is not an appropriate joining. Police should be kept remote since it is not a destination that brings traffic to other adjacent uses.

Lawrence L. Walker • J. Douglas Macy • Michael W. Zilis

111 SW Oak, Suite 200 Portland, OR 97204  
 Phone 503-228-3122 Fax 503-273-8878

- Get your input from school or other questionnaire. Get art galleries. Support activities of artists. "Rollerskating" for kids/ adults. I like the plaza being just off Main Street, perhaps best at the corner where liquor store is? Be sure a shuttle is available to and from train station and bus mall.
- Please seriously consider parking for all the activities that the new attraction/ structures will bring to town. Traffic is already bad, especially around Main Street where people use it to stay away from Highway 99.
- I prefer/ recommend Plaza location scheme 6 (car wash site) since its large and most important, away from Fanno Creek Park, in order to minimize disturbances to the Park, the wildlife that live there and the people who want a quiet experience in the Park. Many dollars (public) have already been spent in restoring Fanno Creek Park – NO more development in the Park. The Turtles! don't want more activity in their home!
- Plaza should not be treated as a step-child. Put it on Main Street in prime location. A hybrid of scheme #2 (Steven's Marine site) with wide Park frontage onto Burnham is best solution. Do not build a road between Park and development. Unnecessary and expensive. Do not bring cars into Park. Retail space on that back edge will not be highly desirable. Can bring street off Burnham between two sites with entrances into garage parking – similar to Lake Oswego Millenium Park with the turn-around and entry to garage. Put Farmer's Market in rail parking lot, not in this plaza. Park does not need a lot of parking if plaza on Main Street, just enough for stage. Let people sit on grass for events.
- My first look at the proposals – very thought provoking. I appreciate the clear description of the choices, and plan to physically visit the area with a new eye to the possibilities to consider.
- What about low income housing and Section 8? Leave Ash Avenue alone. Don't put it through the Park!! Have something like Portland's Pioneer Square for summer time - "Flicks on the Bricks" – movies shown. Someplace for the youth to go during summer. What about the old haggens? Rollerskating rink, etc.
- I'm interested in using the plaza for: concerts, play fountain, farmer's market, outdoor plays. Please incorporate into design!!
- The presentation helps everyone at the meeting to be involved. The cards are a non-threatening way for people to communicate their thoughts. Tigard is a great little City that has much potential for the community. A plaza would be great for music, market, alnd a place for people to visit – a community table.
- Presentation visual excellent! Helps us understand better. Great presentation of pictures and graphs. Pictures are great for people in the community to learn more about what is going on and how they can become involved – citizens of the community need to share their ideas.

Agenda Item #  
Meeting Date

7  
August 28, 2007

## COUNCIL AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title: Readoption of Resolution No. 07-50 Forming Sanitary Sewer Reimbursement District No. 44 (SW Cherry Drive) with Revised Exhibits.

Prepared By: G. Berry <sup>SB</sup> Dept Head Approval: TC City Mgr Approval: CP

### ISSUE BEFORE THE COUNCIL

Shall City Council readopt Resolution No. 07-50 forming Sewer reimbursement District No. 44 (SW Cherry Drive) with revised exhibits and authorize an early connection to the line?

### STAFF RECOMMENDATION

Readoption, by motion, of Resolution No. 07-50 with revised exhibits and authorization of an early connection.

### KEY FACTS AND INFORMATION SUMMARY

- The proposed project would provide sewer service to 19 lots along SW Cherry Drive and SW 76<sup>th</sup> Avenue.
- At its July 24, 2007, meeting, City Council was requested to form a reimbursement district to serve 23 lots in this area. Following public testimony, City Council approved the Resolution forming the District but directed staff to remove four of the lots, 7510, 7530, 7550 and 7570 SW Cherry Drive, from the district and to revise the exhibits to the Resolution accordingly. These four lots will be served from a line behind the houses constructed through a separate reimbursement district.
- Exhibits A and B have been revised as directed and are attached.
- Each owner has been notified of the hearing by mail. The notice, mailing list and additional details are included in the Amended City Engineer's Report.
- If Council approves this request to readopt the Resolution forming the Reimbursement District, bids from contractors will be requested to construct the sewer.
- Another resolution to finalize the Reimbursement District, with cost adjustments, will be submitted for Council action after construction is completed and actual construction costs are determined. This approval is generally required before owners are permitted to pay fees and connect to the line. However, the septic system at 7650 SW Cherry Drive has failed and the owner has requested sewer service as soon as possible. To accommodate this request, City Council is requested to authorize this owner to pay fees and connect to the sewer in advance of final Council approval once construction is complete and final costs have been determined.

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## OTHER ALTERNATIVES CONSIDERED

None

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## COUNCIL GOALS

The proposed Reimbursement District meets Goal No. 1, Updating the Comprehensive Plan, by providing areas with septic systems with sewer service as required by the Plan.

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## ATTACHMENT LIST

Attachment 1- Resolution 07-50

Revised Exhibit A, Amended City Engineer's Report

Revised Exhibit B, Amended Map

Attachment 2- Original Exhibits A, City Engineer's Report and B, Map (not adopted)

Attachment 3- Table 1

Attachment 4- Vicinity Map

Attachment 5- Notice to Owners

Attachment 6- Mailing List

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## FISCAL NOTES

The estimated cost of the project is \$463,364. This amount includes the estimated cost of construction plus an amount for administration and engineering as defined in TMC 13.09.040(1).

Eliminating four lots from the original district will allow a portion of the sewer to be installed at a lesser depth. This is expected to result in a total project cost of about \$39,000 lower than the previously estimated project cost of \$502,563. However, because there are four less lots to spread the cost over, the cost to each of the remaining 19 lots will increase by about \$4,000.

The four lots removed from the district will be provided with service through a separate reimbursement district with an estimated total cost of \$104,000.

Estimated total project costs for the reimbursement district proposed on July 24, 2007 and as revised for current consideration are summarized on the attached Table 1.

Funding is by unrestricted sanitary sewer funds.

CITY OF TIGARD, OREGON  
TIGARD CITY COUNCIL  
RESOLUTION NO. 07-50

A RESOLUTION ESTABLISHING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 44 (SW CHERRY DRIVE)

---

WHEREAS, the City has initiated the Neighborhood Sewer Extension Program to extend public sewers and recover costs through Reimbursement Districts in accordance with TMC Chapter 13.09; and

WHEREAS, the property owners of proposed Sanitary Sewer Reimbursement District No. 44 (SW Cherry Drive) have been notified of a public hearing in accordance with TMC 13.09.060 and a public hearing was conducted in accordance with TMC 13.09.050; and

WHEREAS, the City Engineer has submitted a report describing the improvements, the area to be included in the Reimbursement District, the estimated costs, a method for spreading the cost among the parcels within the District, and a recommendation for an annual fee adjustment; and

WHEREAS, the City Council has determined that the formation of a Reimbursement District as recommended by the City Engineer is appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The City Engineer's report titled "Sanitary Sewer Reimbursement District No. 44," attached hereto as Exhibit A, is hereby approved.

SECTION 2: A Reimbursement District is hereby established in accordance with TMC Chapter 13.09. The District shall be the area shown and described in Exhibit B. The District shall be known as "Sanitary Sewer Reimbursement District No. 44."

SECTION 3: Payment of the reimbursement fee, as shown in Exhibit A, is a precondition of receiving City permits applicable to development of each parcel within the Reimbursement District as provided for in TMC 13.09.110.

SECTION 4: An annual fee adjustment, at a rate recommended by the Finance Director, shall be applied to the Reimbursement Fee.

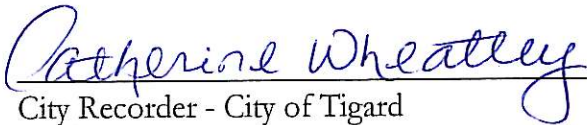
SECTION 5: The City Recorder shall cause a copy of this resolution to be filed in the office of the County Recorder and shall mail a copy of this resolution to all affected property owners at their last known address, in accordance with TMC 13.09.090.

SECTION 6: This resolution is effective immediately upon passage.

PASSED: This 24<sup>th</sup> day of July 2007.

  
\_\_\_\_\_  
Mayor - City of Tigard

ATTEST:

  
\_\_\_\_\_  
City Recorder - City of Tigard

Tigard City Council hereby readopts Resolution No. 07-50 as amended by Council motion on July 24, 2007 and the subsequent review of the amended Exhibits A and B and receipt of public testimony on these amendments on August 28, 2007.

This Resolution is effective immediately upon passage.

Passed this 28<sup>th</sup> day of August, 2007.

\_\_\_\_\_  
Mayor – City of Tigard

Attest:

\_\_\_\_\_  
City Recorder – City of Tigard



**Exhibit A**  
Amended City Engineer's Report  
**Sanitary Sewer Reimbursement District No. 44**  
**(SW Cherry Drive)**

Background

This project will be constructed and funded under the City of Tigard Neighborhood Sewer Extension Program (NSEP). Under the program, the City of Tigard would install public sewers to each lot within the project area. At the time the property owner connects to the sewer, the owner would pay a connection fee, currently \$2,835, and reimburse the City for a fair share of the cost of the public sewer. There is no requirement to connect to the sewer or pay any fee until connection is made. In addition, property owners are responsible for disconnecting their existing septic systems according to Washington County rules and for any other modifications necessary to connect to the public sewer.

Project Area - Zone of Benefit

Serving the 19 lots in the following table will require the extension of an existing sewer in SW Cherry Drive. Extension of an existing line in Hunziker Street will be required to provide service to the lots to the north.

The proposed project would provide sewer service to a total of 19 lots within the proposed reimbursement district as shown on Exhibit Map B.

Cost

The estimated cost for the sanitary sewer construction to provide service to the 19 lots is \$408,250. Engineering and inspection fees amount to \$55,114 (13.5%) as defined in TMC 13.09.040(1). The estimated total project cost is \$463,364. This is the estimated amount that should be reimbursed to the sanitary sewer fund as properties connect to the sewer and pay their fair share of the total amount. However, the actual amount that each property owner pays is subject to the City's incentive program for early connections.

In addition to sharing the cost of the public sewer line, each property owner will be required to pay a connection and inspection fee, currently \$2,835, upon connection to the public line. All owners will be responsible for all plumbing costs required for work done on private property.

Reimbursement Rate

All properties in the proposed district are zoned R-3.5 but vary in lot size from about 16,000 to 21,000 square feet as can be seen in the following list of lots. Therefore, it is recommended that the total cost of the project be divided among the properties proportional to the square footage of each property.

Other reimbursement methods include dividing the cost equally among the owners or by the length of frontage of each property. These methods are not recommended because there is no correlation between these methods and the cost of providing service to each lot or the benefit to each lot.

Each property owner's estimated fair share of the public sewer line is \$1.33937236 per square foot of lot served. Each owner's fair share would be limited to \$6,000, to the extent that it does not exceed \$15,000, for connections completed within three years of City Council approval of the final City Engineer's Report following construction in accordance with Resolution No. 01-46 (attached). In addition to paying for the first \$6,000, owners will remain responsible for paying all actual costs that exceed \$15,000. Upon request, payment of costs that exceed \$15,000 may be deferred until the lot is developed, as provided by Resolution No. 03-55 (attached).

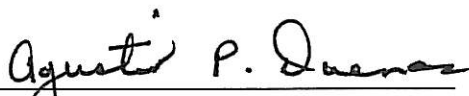
#### Annual Fee Adjustment

TMC 13.09.115 states that an annual percentage rate shall be applied to each property owner's fair share of the sewer line costs on the anniversary date of the reimbursement agreement. The Finance Director has set the annual interest rate at 6.05% as stated in City of Tigard Resolution No. 98-22.

#### Recommendation

It is recommended that a reimbursement district be formed with an annual fee increase as indicated above and that the reimbursement district continue for fifteen years as provided in Tigard Municipal Code (TMC) 13.09.110(5). Fifteen years after the formation of the reimbursement district, properties connecting to the sewer would no longer be required to pay the reimbursement fee.

Submitted August 14, 2007

  
\_\_\_\_\_  
Agustin P. Duenas, P.E.  
City Engineer

I:\eng\2007-2008 fy cip\cherry st sanitary sewer extension dist 44\formation 8-28-07\8-28-07 reim dist 44 report ex a.doc

# CHERRY DRIVE

## Reimbursement District No. 44

*Estimated Cost to Property Owners  
August 3, 2007*

	OWNER	SITE ADDRESS	TAX LOT ID	AREA (S.F.)	AREA (AC)	ESTIMATED REIMBURSEMENT FEE	AMOUNT TO BE PAID BY OWNER	AMOUNT TO BE PAID BY CITY	AMOUNT THAT CAN BE DEFERRED BY OWNER
1	ELLENSON, TYLER & MARGARET	13280 SW 76TH AVE	2S101DB00619	17325.620763	0.398	\$23,205	\$14,205	\$9,000	\$8,205
2	TROTTI, LOUISE	7705 SW CHERRY ST	2S101DB00610	15309.367730	0.351	\$20,505	\$11,505	\$9,000	\$5,505
3	WILLIAMS, KENYA E	13315 SW 76TH AVE	2S101DB00615	15311.599899	0.352	\$20,508	\$11,508	\$9,000	\$5,508
4	ABBLITT, JAMES B & RANDI I	7700 SW CHERRY DR	2S101DB00607	16248.066986	0.373	\$21,762	\$12,762	\$9,000	\$6,762
5	MYERS, KENNETH E	13320 SW 76TH AVE	2S101DB00618	17508.899227	0.402	\$23,451	\$14,451	\$9,000	\$8,451
6	GUTHRIE, GEORGE DEREK & DOLORES	7665 SW FIR ST	2S101DB00609	16360.816831	0.376	\$21,913	\$12,913	\$9,000	\$6,913
7	WIDMAN, INEZ C	13355 SW 76TH AVE	2S101DB00616	15970.488490	0.367	\$21,390	\$12,390	\$9,000	\$6,390
8	BLAGGE, DIANNE E	7670 SW CHERRY DR	2S101DB00608	16346.130924	0.375	\$21,894	\$12,894	\$9,000	\$6,894
9	THACKERY, RUSS	13360 SW 76TH AVE	2S101DB00617	17945.563754	0.412	\$24,036	\$15,036	\$9,000	\$9,036
10	MAYER, KENNETH D	7650 SW CHERRY ST	2S101DC02500	16294.455266	0.374	\$21,824	\$12,824	\$9,000	\$6,824
11	POWELL, JAMES WALTER TRUST	7660 SW FIR	2S101DC02600	20048.933656	0.460	\$26,853	\$17,853	\$9,000	\$11,853
12	BRIAN, THOMAS M	7630 SW FIR	2S101DC02700	16490.424369	0.379	\$22,087	\$13,087	\$9,000	\$7,087
13	MEMOVICH, BARBARA J TR	7630 SW CHERRY ST	2S101DC02400	20428.898173	0.469	\$27,362	\$18,362	\$9,000	\$12,362
14	PAYNE, KEVIN M	7615 SW CHERRY ST	2S101DC02800	20824.338877	0.478	\$27,892	\$18,892	\$9,000	\$12,892
15	TAKAHASHI, WAYNE H	7610 SW CHERRY DRIVE	2S101DC02300	22818.110527	0.524	\$30,562	\$21,562	\$9,000	\$15,562
16	CHICK, MARIBETH A	7595 SW CHERRY ST	2S101DC02900	19383.890918	0.445	\$25,962	\$16,962	\$9,000	\$10,962
17	VANDERBURG, JOHN SCOTT	7590 SW CHERRY DRIVE	2S101DC02200	25503.694437	0.585	\$34,159	\$25,159	\$9,000	\$19,159
18	EDWARDS, GREGORY L	7545 SW CHERRY ST	2S101DC03000	20524.595381	0.471	\$27,490	\$18,490	\$9,000	\$12,490
19	FREZZA, CONRAD NICHOLAS & APRIL	13275 SW 76TH AVE	2S101DB00614	15311.98773	0.352	\$20,508	\$11,508	\$9,000	\$5,508
Totals				345956	7.94	\$463,364	\$292,364	\$171,000	\$178,364

The "ESTIMATED REIMBURSEMENT FEE" column shows the estimated reimbursement fee for each lot. There are no requirements to connect to the sewer or pay any fees until the owner decides to connect to the sewer. The final reimbursement fee will be determined once construction is complete and final costs are determined.

In accordance with Resolution No. 01-46, each property owner will be required to pay the first \$6,000 of the final reimbursement fee for connections completed within the first three years of City Council's approval of the final City Engineer's Report following construction. The "AMOUNT TO BE PAID BY CITY" column shows that portion of the reimbursement fee that the owners will not be required to pay if they connect to the sewer during this three year period.

This resolution also requires owners to pay any fair share amount that exceed \$15,000. Consequently, if the final fair share for an owner exceeds \$15,000, the owner would be required to pay \$6,000 plus that amount of the fair share that exceeds \$15,000. Under Resolution No. 03-55, payment of the amount in excess of \$15,000 may be deferred until the owner's lot is developed. This amount is shown in the "AMOUNT THAT CAN BE DEFERRED BY OWNER" column.

In addition to the reimbursement fee, the owners will also be required to pay a connection fee, currently \$2,835, at the time of connection to the sewer. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

**CHERRY DRIVE**  
**Reimbursement District No. 44**

*Estimated Cost to Property Owners*

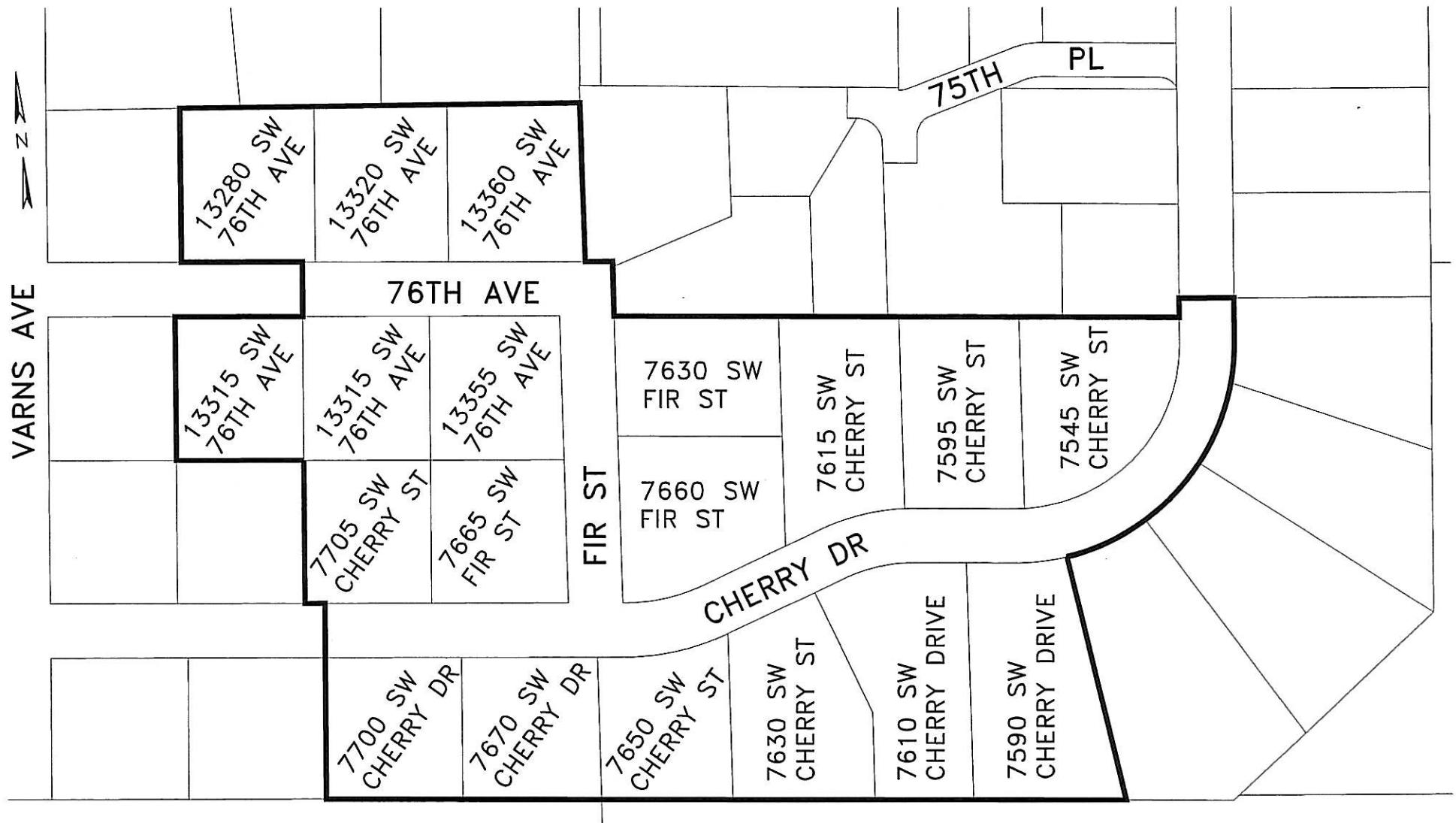
*Summary*

*August 3, 2007*

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<b>Estimated Construction Cost</b>	<b>\$355,000</b>
15% contingency (construction)	\$53,250
<b>Estimated construction subtotal</b>	<b>\$408,250</b>
13.5% contingency (Admin & Eng)	\$55,114
<b>total project costs</b>	<b>\$463,364</b>
total area to be served (S.F.)	345,956
total cost per S.F. to property owner	<b>\$1.33937236</b>

CHERRY DRIVE  
FY 2006-07 SANITARY SEWER EXTENSION PROGRAM  
REIMBURSEMENT DISTRICT NO. 44  
A PORTION OF THE SW 1/4 SECTION 1 T2S R1W W.M.



**NOTE:**

All properties in the reimbursement district are zoned R-3.5

EXHIBIT B  
NTS

Old Exhibits A and B – Not approved.

**Exhibit A**  
City Engineer's Report  
**Sanitary Sewer Reimbursement District No. 44**  
**(SW Cherry Drive)**

**Attachment 2**

Background

This project will be constructed and funded under the City of Tigard Neighborhood Sewer Extension Program (NSEP). Under the program, the City of Tigard would install public sewers to each lot within the project area. At the time the property owner connects to the sewer, the owner would pay a connection fee, currently \$2,835, and reimburse the City for a fair share of the cost of the public sewer. There is no requirement to connect to the sewer or pay any fee until connection is made. In addition, property owners are responsible for disconnecting their existing septic systems according to Washington County rules and for any other modifications necessary to connect to the public sewer.

Project Area - Zone of Benefit

Serving the 23 lots in the following table will require the extension of an existing sewer in SW Cherry Drive. Extension of an existing line in Hunziker Street will be required to provide service to the lots to the north.

The proposed project would provide sewer service to a total of 23 lots within the proposed reimbursement district as shown on Exhibit Map B.

Cost

The estimated cost for the sanitary sewer construction to provide service to the 23 lots is \$442,787. Engineering and inspection fees amount to \$59,776 (13.5%) as defined in TMC 13.09.040(1). The estimated total project cost is \$502,563. This is the estimated amount that should be reimbursed to the sanitary sewer fund as properties connect to the sewer and pay their fair share of the total amount. However, the actual amount that each property owner pays is subject to the City's incentive program for early connections.

In addition to sharing the cost of the public sewer line, each property owner will be required to pay a connection and inspection fee, currently \$2,835, upon connection to the public line. All owners will be responsible for all plumbing costs required for work done on private property.

Reimbursement Rate

All properties in the proposed district are zoned R-3.5 but vary in lot size from about 16,000 to 32,000 square feet as can be seen in the following list of lots. Therefore, it is recommended that the total cost of the project be divided among the properties proportional to the square footage of each property.



Other reimbursement methods include dividing the cost equally among the owners or by the length of frontage of each property. These methods are not recommended because there is no correlation between these methods and the cost of providing service to each lot or the benefit to each lot.

Each property owner's estimated fair share of the public sewer line is \$1.117675 per square foot of lot served. Each owner's fair share would be limited to \$6,000, to the extent that it does not exceed \$15,000, for connections completed within three years of City Council approval of the final City Engineer's Report following construction in accordance with Resolution No. 01-46 (attached). In addition to paying for the first \$6,000, owners will remain responsible for paying all actual costs that exceed \$15,000. Upon request, payment of costs that exceed \$15,000 may be deferred until the lot is developed, as provided by Resolution No. 03-55 (attached).


#### Annual Fee Adjustment

TMC 13.09.115 states that an annual percentage rate shall be applied to each property owner's fair share of the sewer line costs on the anniversary date of the reimbursement agreement. The Finance Director has set the annual interest rate at 6.05% as stated in City of Tigard Resolution No. 98-22.

#### Recommendation

It is recommended that a reimbursement district be formed with an annual fee increase as indicated above and that the reimbursement district continue for fifteen years as provided in Tigard Municipal Code (TMC) 13.09.110(5). Fifteen years after the formation of the reimbursement district, properties connecting to the sewer would no longer be required to pay the reimbursement fee.

Submitted July 9, 2007

  
Agustin P. Duenas, P.E.  
City Engineer

I:\eng\2006-2007 fy cip\cherry st sanitary sewer extension dist 44\formation\7-24-07 reim dist 44 report ex a.doc

**CHERRY DRIVE**  
**Reimbursement District No. 44**  
*Estimated Cost to Property Owners*  
*June 6, 2007*

	OWNER	SITE ADDRESS	TAX LOT ID	AREA (S.F.)	AREA (AC)	ESTIMATED REIMBURSEMENT FEE	AMOUNT TO BE PAID BY OWNER	AMOUNT TO BE PAID BY CITY	AMOUNT THAT CAN BE DEFERRED BY OWNER
1	ELLENSON, TYLER & MARGARET	13280 SW 76TH AVE	2S101DB00619	17325.620763	0.398	\$19,364	\$10,364	\$9,000	\$4,364
2	TROTTI, LOUISE	7705 SW CHERRY ST	2S101DB00610	15309.367730	0.351	\$17,111	\$8,111	\$9,000	\$2,111
3	WILLIAMS, KENYA E	13315 SW 76TH AVE	2S101DB00615	15311.599899	0.352	\$17,113	\$8,113	\$9,000	\$2,113
4	ABBLITT, JAMES B & RANDI I	7700 SW CHERRY DR	2S101DB00607	16248.066986	0.373	\$18,160	\$9,160	\$9,000	\$3,160
5	MYERS, KENNETH E	13320 SW 76TH AVE	2S101DB00618	17508.899227	0.402	\$19,569	\$10,569	\$9,000	\$4,569
6	GUTHRIE, GEORGE DEREK & DOLORES	7665 SW FIR ST	2S101DB00609	16360.816831	0.376	\$18,286	\$9,286	\$9,000	\$3,286
7	WIDMAN, INEZ C	13355 SW 76TH AVE	2S101DB00616	15970.488490	0.367	\$17,850	\$8,850	\$9,000	\$2,850
8	BLAGGE, DIANNE E	7670 SW CHERRY DR	2S101DB00608	16346.130924	0.375	\$18,270	\$9,270	\$9,000	\$3,270
9	WILKINSN, BRUCE ALLEN	13360 SW 76TH AVE	2S101DB00617	17945.563754	0.412	\$20,057	\$11,057	\$9,000	\$5,057
10	MAYER, KENNETH D	7650 SW CHERRY ST	2S101DC02500	16294.455266	0.374	\$18,212	\$9,212	\$9,000	\$3,212
11	POWELL, JAMES WALTER TRUST	7660 SW FIR	2S101DC02600	20048.933656	0.460	\$22,408	\$13,408	\$9,000	\$7,408
12	BRIAN, THOMAS M	7630 SW FIR	2S101DC02700	16490.424369	0.379	\$18,431	\$9,431	\$9,000	\$3,431
13	MEMOVICH, BARBARA J TR	7630 SW CHERRY ST	2S101DC02400	20428.898173	0.469	\$22,833	\$13,833	\$9,000	\$7,833
14	PAYNE, KEVIN M	7615 SW CHERRY ST	2S101DC02800	20824.338877	0.478	\$23,275	\$14,275	\$9,000	\$8,275
15	TAKAHASHI, WAYNE H	7610 SW CHERRY DRIVE	2S101DC02300	22818.110527	0.524	\$25,503	\$16,503	\$9,000	\$10,503
16	CHICK, MARIBETH A	7595 SW CHERRY ST	2S101DC02900	19383.890918	0.445	\$21,665	\$12,665	\$9,000	\$6,665
17	VANDERBURG, JOHN SCOTT	7590 SW CHERRY DRIVE	2S101DC02200	25503.694437	0.585	\$28,505	\$19,505	\$9,000	\$13,505
18	EDWARDS, GREGORY L	7545 SW CHERRY ST	2S101DC03000	20524.595381	0.471	\$22,940	\$13,940	\$9,000	\$7,940
19	STEWART, MARTIN D & CARLA E	7570 SW CHERRY DRIVE	2S101DC02100	32231.697853	0.740	\$36,025	\$27,025	\$9,000	\$21,025
20	WIDMAN, THOMAS G	7550 SW CHERRY DRIVE	2S101DC02000	28308.678315	0.650	\$31,640	\$22,640	\$9,000	\$16,640
21	HERMANSON, PATRICIA M	7530 SW CHERRY DRIVE	2S101DC01900	23398.320887	0.537	\$26,152	\$17,152	\$9,000	\$11,152
22	CHEMARIN, LISA M	7510 SW CHERRY DRIVE	2S101DC01800	19755.824551	0.454	\$22,081	\$13,081	\$9,000	\$7,081
23	FREZZA, CONRAD NICHOLAS & APRIL	13275 SW 76TH AVE	2S101DB00614	15311.98773	0.352	\$17,114	\$8,114	\$9,000	\$2,114
Totals				449650	10.32	\$502,563	\$295,563	\$207,000	\$157,563

The "ESTIMATED REIMBURSEMENT FEE" column shows the estimated reimbursement fee for each lot. There are no requirements to connect to the sewer or pay any fees until the owner decides to connect to the sewer. The final reimbursement fee will be determined once construction is complete and final costs are determined.

In accordance with Resolution No. 01-46, each property owner will be required to pay the first \$6,000 of the final reimbursement fee for connections completed within the first three years of City Council's approval of the final City Engineer's Report following construction. The "AMOUNT TO BE PAID BY CITY" column shows that portion of the reimbursement fee that the owners will not be required to pay if they connect to the sewer during this three year period.

This resolution also requires owners to pay any fair share amount that exceed \$15,000. Consequently, if the final fair share for an owner exceeds \$15,000, the owner would be required to pay \$6,000 plus that amount of the fair share that exceeds \$15,000. Under Resolution No. 03-55, payment of the amount in excess of \$15,000 may be deferred until the owner's lot is developed. This amount is shown in the "AMOUNT THAT CAN BE DEFERRED BY OWNER" column.

In addition to the reimbursement fee, the owners will also be required to pay a connection fee, currently \$2,835, at the time of connection to the sewer. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

**CHERRY DRIVE**  
**Reimbursement District No. 44**

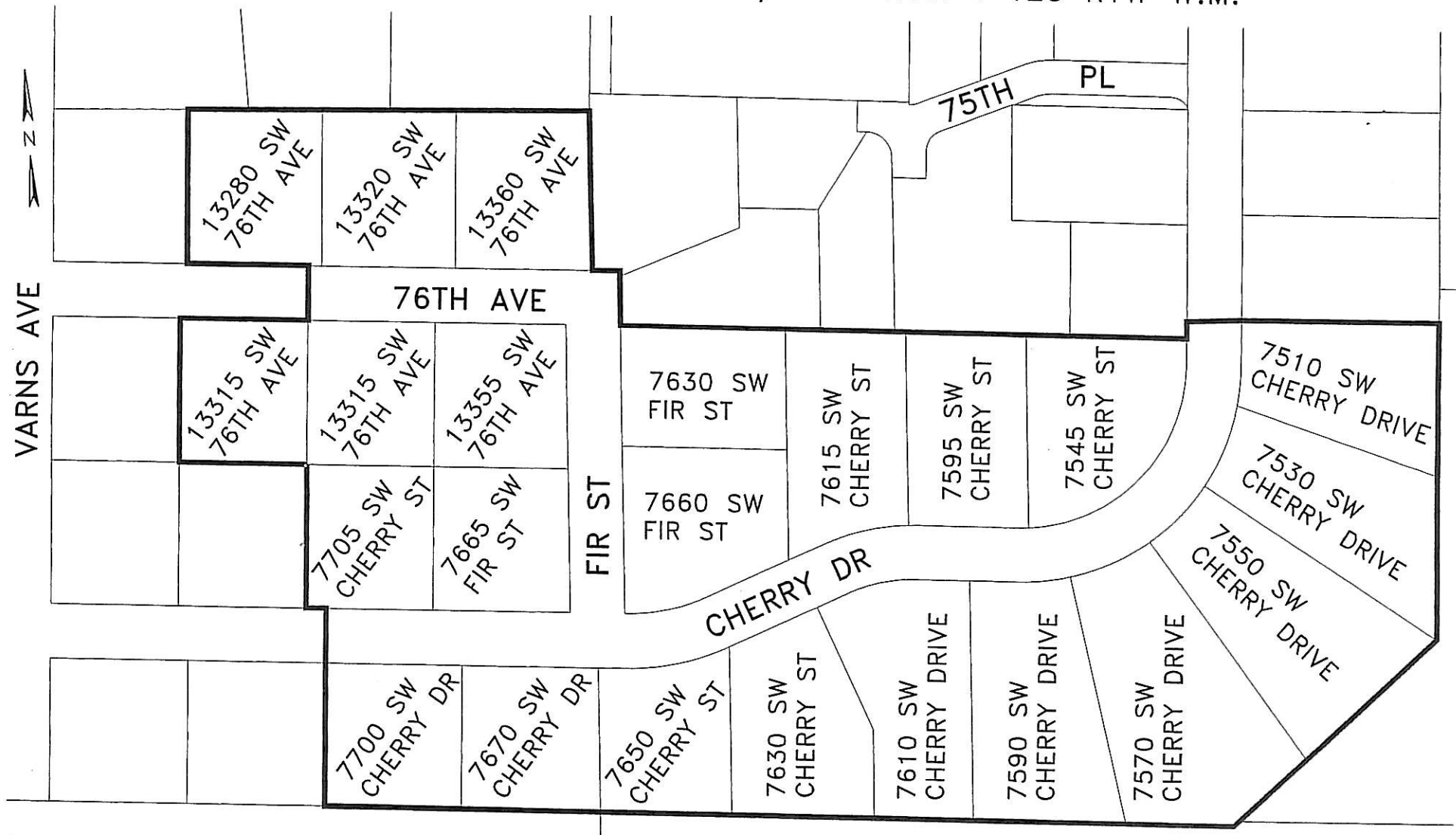
*Estimated Cost to Property Owners*

*Summary*

*June 6, 2007*

<hr/>	
Estimated Construction Cost	<b>\$385,032</b>
15% contingency (construction)	\$57,755
Estimated construction subtotal	\$442,787
<hr/>	
13.5% contingency (Admin & Eng)	\$59,776
total project costs	<b>\$502,563</b>
<hr/>	
total area to be served (S.F.)	449,650
<hr/>	
total cost per S.F. to property owner	<b>\$1.11767500</b>
<hr/>	

CHERRY DRIVE  
FY 2006-07 SANITARY SEWER EXTENSION PROGRAM  
REIMBURSEMENT DISTRICT NO. 44  
A PORTION OF THE SW 1/4 SECTION 1 T2S R1W W.M.



**NOTE:**

All properties in the reimbursement district are zoned R-3.5

EXHIBIT B  
NTS

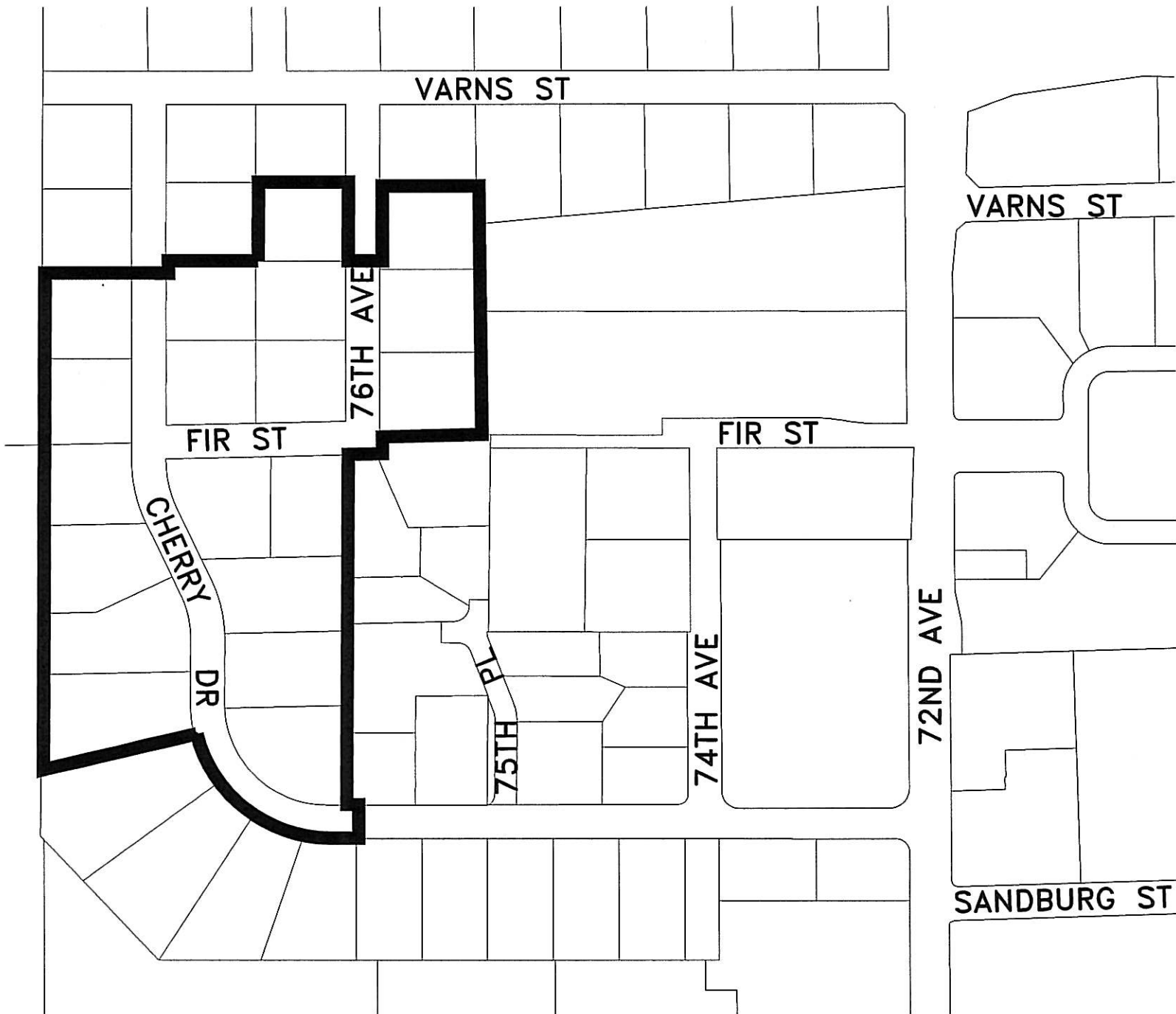
**Table 1**

## Estimated Total Project Cost

	Originally Proposed 7-24-07		Revised 8-28-07	
	Total	Per Avg Lot	Total	Per Avg Lot
Remaining 19 Lots	386,665	20,351	463,364 <sup>2)</sup>	24,388
Removed 4 Lots	115,898	28,974	104,000 <sup>3)</sup>	26,000
Total	502,563 <sup>1)</sup>		567,364	

Notes

1. Estimated total project cost proposed on July 24, 2007 to serve 23 lots
2. Estimated total project cost proposed on August 28, 2007 to serve the remaining 19 lots
3. Estimated total project cost for a future reimbursement district to serve the removed 4 lots



VICINITY MAP  
NTS



Aug 14, 2007

# NOTICE

## Informational Hearing

NOTICE IS HEREBY GIVEN  
THAT THE **TIGARD CITY COUNCIL**  
AT A MEETING ON  
**TUESDAY, August 28, 2007 AT 7:30 PM**  
IN THE **TOWN HALL OF THE TIGARD CIVIC CENTER**  
**13125 SW HALL BLVD**  
**TIGARD OR 97223**

WILL CONSIDER THE FOLLOWING:

### **Readoption of Sanitary Sewer Reimbursement District No. 44** (SW Cherry Drive)

The Tigard City Council will conduct an informational public hearing to hear testimony on the proposed readoption of the Reimbursement District.

*Both public oral and written testimony is invited.*

The public hearing on this matter will be conducted as required by  
Section 13.09.060 of the Tigard Municipal Code.

Further information and the scheduled time for this item during the Council meeting may be obtained from the Engineering Department, 13125 SW Hall Blvd. Tigard, Oregon 97223, by calling 503-718-2468 or at [www.tigard-or.gov](http://www.tigard-or.gov).

2S101DB00619  
ELLENSON TYLER & MARGARET  
13280 SW 76TH AVE  
TIGARD OR 97223

2S101DB00615  
WILLIAMS KENYA E  
13315 SW 76TH  
TIGARD OR 97223

2S101DB00618  
MYERS KENNETH E  
13320 SW 76H  
TIGARD OR 97223

2S101DB00616  
WIDMAN INEZ C  
13355 SW 76TH AVE  
TIGARD OR 97223

2S101DB00617  
THACKERY RUSS  
13360 SW 76TH AVE  
TIGARD OR 97223

2S101DC02600  
POWELL JAMES WALTER TRUST  
7660 SW FIR ST  
TIGARD OR 97223

2S101DC02400  
MEMOVICH BARBARA J TR  
7630 SW CHERRY DR  
TIGARD OR 97223

2S101DC02300  
TAKAHASHI WAYNE H  
7610 SW CHERRY ST  
TIGARD OR 97223

2S101DC02200  
VANDERBURG JOHN SCOTT  
7590 SW CHERRY DR  
TIGARD OR 97223

2S101DB00614  
FREZZA CONRAD NICHOLAS & APRIL  
13275 SW 76TH AVE  
TIGARD OR 97223

2S101DB00610  
TROTTI LOUISE  
7705 SW CHERRY ST  
TIGARD OR 97223

2S101DB00607  
ABBLITT JAMES B/RANDI I  
7700 SW CHERRY DR  
TIGARD OR 97223

2S101DB00609  
GUTHRIE GEORGE DEREK & DOLORES  
7665 SW FIR ST  
TIGARD OR 97223

2S101DB00608  
BLAGGE DIANNE E  
7404 SW DELAWARE CIR  
TUALATIN OR 97062

2S101DC02500  
MAYER KENNETH D AND  
7650 SW CHERRY ST  
TIGARD OR 97223

2S101DC02700  
BRIAN THOMAS M  
7630 FIR ST  
TIGARD OR 97223

2S101DC02800  
PAYNE KEVIN M  
7615 SW CHERRY DR  
TIGARD OR 97223

2S101DC02900  
CHICK MARIBETH A  
11575 SW PACIFIC HWY  
TIGARD OR 97223

2S101DC03000  
EDWARDS GREGORY L  
7545 SW CHERRY  
TIGARD OR 97223

Agenda Item #

Meeting Date

8/28/07

## COUNCIL AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title Presentation on Technology Resources at the Library

Prepared By: Margaret Barnes

Dept Head Approval:

*MLB*  
*cdw*

City Mgr Approval:

*CA*

### ISSUE BEFORE THE COUNCIL

Increase public awareness of several technological resources provided by the library.

### STAFF RECOMMENDATION

No action necessary

### KEY FACTS AND INFORMATION SUMMARY

Libraries provide information in many ways. Greater awareness of current technological resources and how to use them will save people time. This presentation will highlight three specific features available to those with library cards and will include a live internet demonstration of some of the resources:

- Many databases on thousands of topics can be accessed through the library catalog from home or at the library.
- Patrons can access their own accounts from home to find out what they have checked out, learn their due dates, put items on hold, renew them and much more. If they choose, they can now receive email alerts about items that will soon be due.
- Downloadable audio books from the Library 2 Go Service offers a new way to select a book and download it on your personal computer or MP3 player.

### OTHER ALTERNATIVES CONSIDERED

None considered.

### CITY COUNCIL GOALS

N/A

### ATTACHMENT LIST

Powerpoint Presentation.

### FISCAL NOTES

N/A

# Help Is Just a Click Away



## Tigard Public Library

# Library Home Page



## City of Tigard, Oregon

15125 SW Hall Blvd., Tigard, OR 97223  
503-639-4171

"A Place to Call Home"



Performance at Bishop-Scheckla Pavilion

Search

Find

City Hall

Business

Community

Police

Library

Help

2 Aug 2007

### Tigard via RSS

Tigard RSS Feeds

### Quick Links

- Home
- Affordable Housing
- Bid Advertisements
- City Council Agenda
- Community Investment Program
- Construction in Tigard
- Development Code
- Emergency Management
- Events Calendar
- Forms
- Job Opportunities
- New to Tigard?
- Parks in Tigard
- Passports
- Public Records
- Room Reservations
- Tigard Municipal Code
- Volunteer Opportunities
- Water Division
- Zoning

### Online Services

- Maps/GIS
- Library Catalog: WILnet
- Online Park Reservations
- Utility Payments
- Vendor Registration

## Tigard Public Library

Home > Library

### Tigard Public Library

13500 SW Hall Blvd.,  
Tigard, OR 97223 ([Map](#))  
Voice: 503-684-6537  
Fax: 503-598-7515  
Renewal Phone: 503-846-3245  
Observed Holidays



### Library Hours

New Hours Effective 7/2/07

Mon., Tues., Wed., Fri.

Thursday

Saturday

Sunday

10 AM - 9 PM

1 PM - 9 PM

10 AM - 5 PM

1 PM - 5 PM

Question of the Week  
Why don't you post a visible sign in the lobby about the non-use of those cell phones?  
[Answer Here](#)

WILnet  
Library Catalog

### Ask a Librarian

We will try to answer any question you have.  
[Two options available.](#)

Kids & Families  
Kid-Friendly Events

Teens @ TPL  
Events for Teens

Adult Events  
Authors, Book Groups...

### What's Happening at the Library?

#### Summer Reading Programs for Everyone!

The 12th Annual **Adult Summer Reading Program** is in full swing. Over 263 adult readers have registered. So far the library has received over 936 patron reviews. Find out what your [neighbors are reading...](#)



The 2007 **Teen Summer Reading Program** is here. The theme for teens grades 6 and up is YNK aka "You Never Know." Register at the library beginning June 1 and READ, READ, READ! [More...](#)

Mysteries await you! Get ready for the 2007 **Children's Summer Reading Program**. The theme for kids through grade 5 is "Get a Clue." The calendar of events is available now in the library and registration begins June 1! [More...](#)

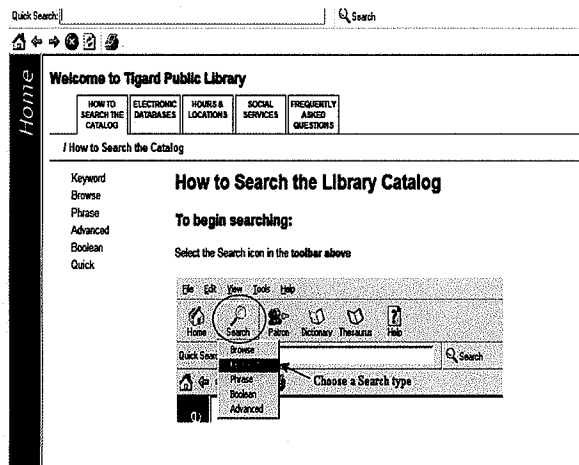


#### Summer at the Library A Great Place to Volunteer!

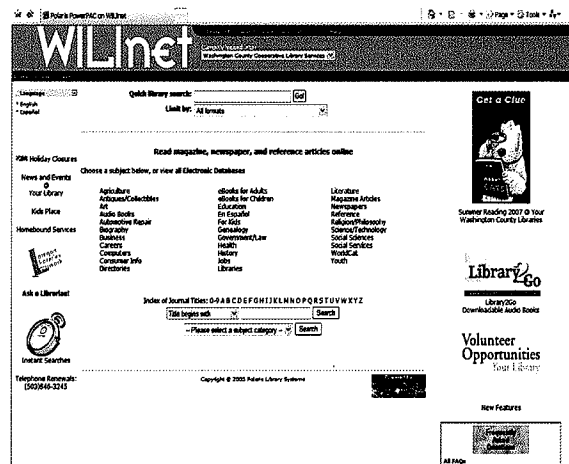
Escape the heat, learn new skills, discover good books to read... all while volunteering at the library this summer. Help is needed to re-shelve books and assist with children's summer reading programs. [More...](#)



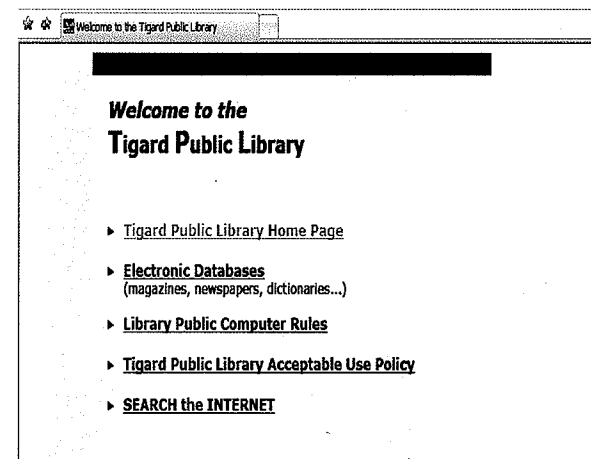
# Three “Faces” of Ease



Library Catalog



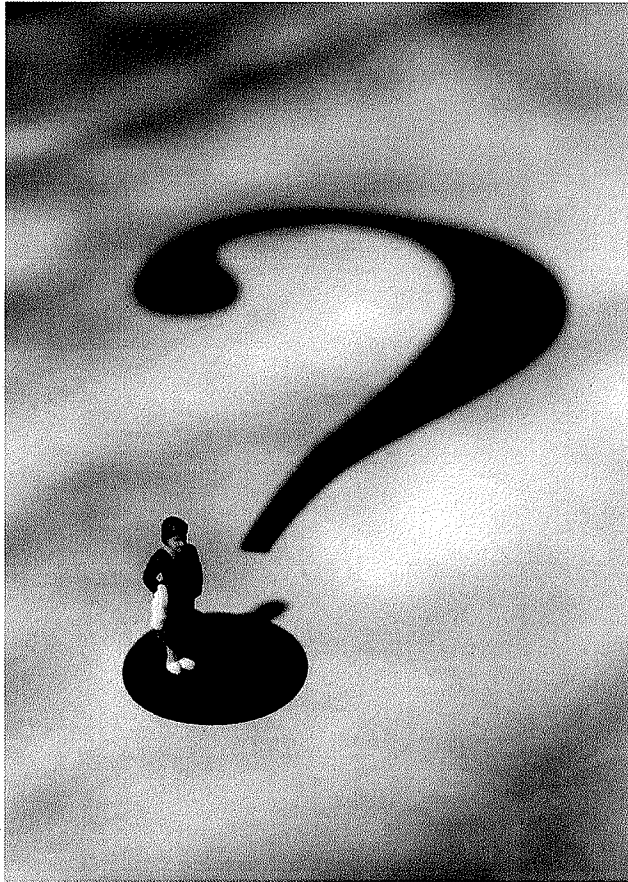
WILInet from  
work or home



Public Internet  
Stations



# Information Comes in Many Containers...Even Books!



- **Databases**
- **Virtual Reference**
- **Collections**

# Databases

- Over 40 databases covering thousands of topics
- Range from academic journals to popular magazines and national newspapers
- Provided in partnership WCCLS & Statewide consortia



# A few databases you may find useful:

- Magazines
- Government/Law
- Social Services

**WILInet** Library Info | Search | Patron Account | Log In | Help

Currently logged into:  
Washington County Cooperative Library Services

Portal | Hours | Events

Language  
• English  
• Español

Quick library search:

Limit by: All formats

**Read magazine, newspaper, and reference articles online**

Choose a subject below, or view all **Electronic Databases**

**Left Sidebar:**  
Holiday Closures  
News and Events  
@  
Your Library  
Kids Place  
Homebound Services  
Oregon libraries network

**Main Content Area:**

Agriculture	eBooks for Adults	Literature
Antiques/Collectibles	eBooks for Children	Magazine Articles
Art	Education	Newspapers
Audio Books	En Español	Reference
Automotive Repair	For Kids	Religion/Philosophy
Biography	Genealogy	Science/Technology
Business	Government/Law	Social Sciences
Careers	Health	Social Services
Computers	History	WorldCat
Consumer Info	Jobs	Youth
Directories	Libraries	

**Right Sidebar:**  
Get a Cl...  
Summer Reading 201  
Washington County  
Library

# Exploring Government/Law Databases

## WILInet

### Electronic Databases

#### Subjects

All  
Agriculture  
Antiques/Collectibles  
Art  
Audio Books  
Automotive Repair  
Biography  
Business  
Careers  
Computers  
Consumer  
Information  
Directories  
eBooks - Adults  
eBooks - Children  
Education  
En Español  
For Kids  
Genealogy  
Government/Law  
Health  
History  
Jobs  
Libraries  
Literature  
Magazine Articles  
Newspapers  
Reference  
Religion/Philosophy  
Science/Technology  
Social Sciences  
Social Services  
WorldCat  
Youth

#### Government/Law

##### Academic Search Premier

The world's largest scholarly, multi-disciplinary, full text database. More than 4500 full text journals. **Requires Washington County Library card.**

##### CultureGrams

Learn about the history, customs, and everyday life of countries around the world. Three editions: *World Edition* features concise, reliable, and up-to-date reports on 190 countries; *Kids Edition* features a colorful collection of 68 country reports perfect for school projects and homework assignments; *States Edition* offers kid-friendly reports on all 50 states. Switch between editions with a simple click. **Requires Washington County Library card.**

##### HeinOnline

Contains full-text databases for law journals (issues back to their inception), the Federal Register (from 1936), U.S. Treaties and Agreements (TIAS from #1849, UST from 1950), and U.S. Supreme Court cases (from 1790). Provided to the general public through the courtesy of Washington County Law Library. **Requires Washington County Library card.**

##### Legal Collection

Contains full text for more than 260 of the world's most respected, scholarly law journals. An authoritative source for information on current issues, studies, thoughts and trends of the legal world. **Requires Washington County Library card.**

##### Military & Government Collection

Designed to offer current news pertaining to all branches of the military and government. Full text for more than 360 journals. **Requires Washington County Library card.**

##### SIRS Researcher

A general reference database containing thousands of full-text articles exploring social, scientific, health, historic, business, economic, political and global issues. Articles and graphics are selected from over 1,600 domestic and international publications and are indexed primarily according to Library of Congress-derived subject headings. **Requires Washington County Library card.**

##### STAT USA

Produced by the US Department of Commerce. Includes domestic financial and economic data, trade leads, procurement information, international trade data and country analyses. **Available for use in the library building only at Beaverton City Library. Please ask a librarian to log in for you.**

# Exploring Social Services

## WILnet

### Electronic Databases

#### Subjects

All  
Agriculture  
Antiques/Collectibles  
Art  
Audio Books  
Automotive Repair  
Biography  
Business  
Careers  
Computers  
Consumer  
Information  
Directories  
eBooks - Adults  
eBooks - Children  
Education  
En Español  
For Kids  
Genealogy  
Government/Law  
Health  
History  
Jobs  
Libraries  
Literature  
Magazine Articles  
Newspapers  
Reference  
Religion/Philosophy  
Science/Technology  
Social Sciences  
Social Services  
WorldCat  
Youth

#### Social Services

##### 211 info

Clients, family members, caseworkers, police, teachers, etc. can call the 211 Info line for information about resources available in the community, with door to door directions. Information available ranges from food pantries, eligibility criteria for public benefits, where to find a room-mate, where to learn how to cook if you've just left home, energy assistance, volunteer opportunities, daycare providers, translation services. The available information is continuously being updated, verified, and enhanced. **Call 211.**

##### FIND (Friendly Iris Network Directory)

FIND is a program of Community Action Organization. CAO operates pre-schools and homeless shelters and offers childcare referrals and resources as well as emergency services to low-income Washington County families.

##### Medicare's Prescription Drug Service

- **Official U.S. Government Site for People with Medicare**
- **Access to Benefits Coalition**  
Find out if you qualify for prescription drug benefits and where to get help.
- **AARP**  
News and explanations about the Medicare Prescription Drug Service and information about applying for benefits.

##### Oregon Helps!

Use this confidential site to find out if your family can get help from twelve different services.

##### Oregon Involved

Includes listings of all non-profit corporations that are registered with the Oregon Department of Justice, Charitable Activities Division.

##### Oregon Network of Care

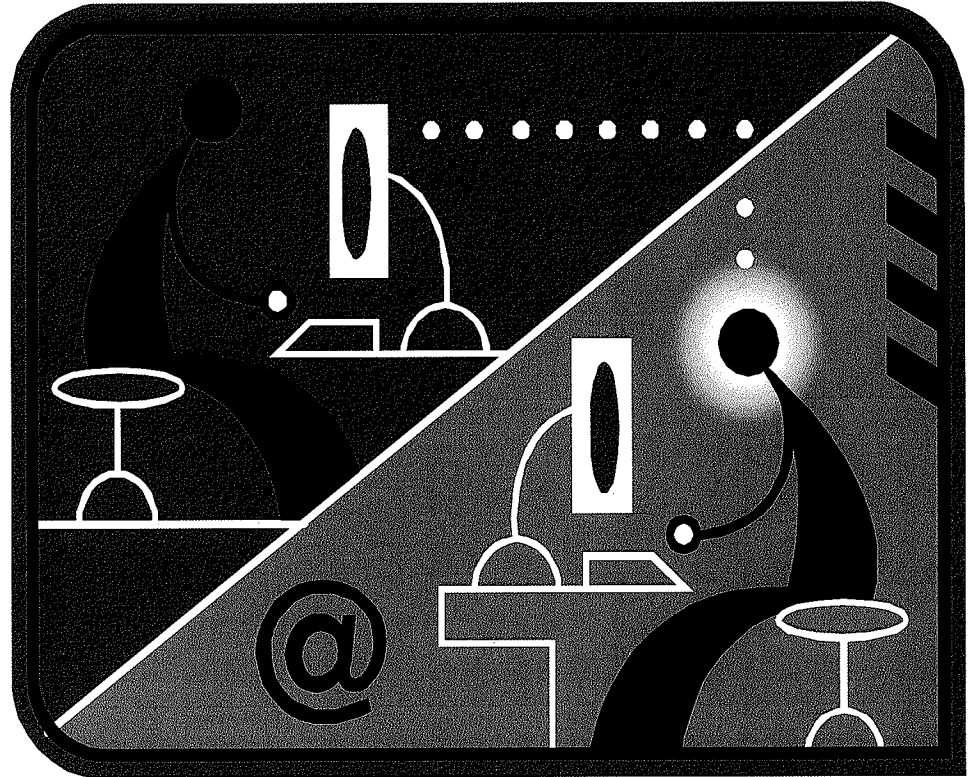
For seniors, people with disabilities, and their caregivers and service providers. Find local services and resources, information about assistive devices, articles about medical, financial, legal and caregiver information, legislation, and more.

##### TV411 Online

The Internet's most comprehensive web site for adult learners to develop basic skills through hands-on activities. Includes vocabulary and math lessons, a writing gallery, reading exercises, and skill-building games.

# Virtual Reference

- **Ask a Librarian**
  - Tigard Adult Reference Desk Staff
- **L-Net**
  - Statewide







## Ask a Librarian

# Email Questions

Available through the City of Tigard—  
Library homepage—Reference Links

**City of Tigard, Oregon**  
1111 SW Hall Blvd., Tigard, OR 97223  
503-639-4171  
*"A Place to Call Home"*

  
John Tigard House  
2 Aug 2007

Search  Find

City Hall Business Community Police Library Help

**Tigard via RSS**  
[RSS Tigard RSS Feeds](#)

**Quick Links**

- Home
- Affordable Housing
- Bid Advertisements
- City Council Agenda
- Community Investment Program
- Construction in Tigard
- Development Code
- Emergency Management
- Events Calendar
- Forms
- Job Opportunities
- How to Tigard?
- Parks in Tigard
- Passports
- Public Records
- Room Reservations
- Tigard Municipal Code
- Volunteer Opportunities
- Water Division
- Zoning

**Online Services**

- Maps/GIS
- Library Catalog: [WILLnet](#)
- Online Park Reservations
- Utility Payments
- Vendor Registration

**Ask a Librarian**  
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**We will try to answer any question you have.**

"Ask a Librarian" is an email reference service available to current patrons of the Tigard Library and member libraries of the Washington County Cooperative Library Services. Use this form to send your request. Please read our [explanation of this service](#) before sending your question.

[For more information on this service.](#)

**Contact Information**

<b>Name*</b>	<b>Library Card Number*</b> (Please include all characters)
<input type="text"/>	<input type="text"/>
<b>Phone</b>	<b>Fax</b>
<input type="text"/>	<input type="text"/>
<b>Email Address*</b>	<b>Re-Enter Your Email Address*</b>
<input type="text"/>	<input type="text"/>

**School**  
If student please indicate grade level. (You might be able to find the answer to your question on our [Homework Center](#) pages)

☐ Elementary School ☐ Middle School ☐ High School ☐ College

**Question**  
Type your question here\*

- L-net is a free online reference service
- 24/7
- Provided by Oregon's librarians
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# Searching for information?

- **Keyword search**
- **Browse search**



# Keyword Search

**Willnet**

Library Info | Search | Patron Account | Log In | Help

Currently logged into:  
Washington County Cooperative Library Services

Keyword | Browse | Phrase | Advanced | Boolean | Dictionary | Thesaurus

Language

- English
- Español

Related Subjects

- Community development--Law and legislation--Oregon--Tigard. (1)
- Ordinances, Municipal--Oregon--Tigard. (1)

Other Searches

- Any Field Search
- Title Search
- Author Search
- Subject Search
- General Notes Search
- Publisher Search
- Genre Search
- Series Search

Keyword search for:

Search by:  Limit by:

Sort by:  Using:

[Save Search](#) | [Spelling Help](#) | [Select Databases](#) | [Open Search Options](#)

Polaris found 3 titles for: **tigard code**  
Viewing: 1 - 3

**Tigard municipal code.**

... Tigard municipal code. ...

Author : Tigard (Or.)  
Publisher, Date : [Tigard, Or. : The City, 1972-  
Description : 2 v. (loose-leaf) ; 30 cm.

Availability: 0 (of 2) - Current Holds : 0

[Availability](#) | [Add to Title List](#) | [Place Request](#)

**City of Tigard Planning Commission: revised development code for the City of Tigard, Oregon (Title 18).**

... City of Tigard Planning Commission: revised development code for the City of Tigard, Oregon ...

Author : Bookin Group.  
Publisher, Date : The Bookin Group, 1997-

Availability: 0 (of 1) - Current Holds : 0

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**City of Tigard community development code (Title 18).**

... City of Tigard community development code (Title 18). ...

Author : Tigard (Or.)  
Publisher, Date : [Tigard, Or. : City of Tigard, 1998]-  
Description : 1 v. (looseleaf) : ill. ; 30 cm.

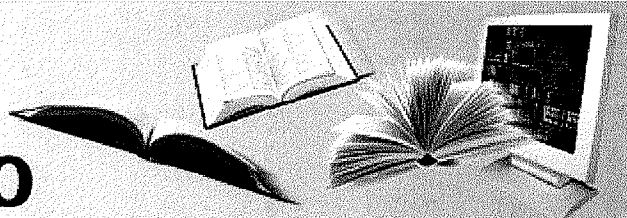
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Sort by: title | author | published date | **most popular** | date added to site

< Previous | Next >



## Sam's Letters to Jennifer

by James Patterson

Pub date: 7/3/2007

Jennifer returns to the resort village where she grew up to help a beloved relative—and ends up experiencing not one, but two of the most amazing love stories she's ever known. In a series of letters...



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A Stephanie Plum Novel #13

by Janet Evanovich

Pub date: 6/19/2007

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## The Broker

by John Grisham

Pub date: 07/03/2007

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by Catherine Coulter

Pub date: 06/07/2007

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# Tigard Public Library



**We are always here to help.**

Agenda Item # \_\_\_\_\_

Meeting Date \_\_\_\_\_

8/28/07

## COUNCIL AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title \_\_\_\_\_ Update on Library Summer Reading Program

Prepared By: \_\_\_\_\_ Margaret Barnes

Dept Head Approval: MLB  
cw

City Mgr Approval: \_\_\_\_\_

CP

### ISSUE BEFORE THE COUNCIL

To provide the Council with a review of summer reading activities at the Library.

### STAFF RECOMMENDATION

No action necessary

### KEY FACTS AND INFORMATION SUMMARY

The Library hosted three separate summer reading programs this year for children, teens and adults. All three programs broke records for participation from 2006. Throughout the summer the library offered a series of special events, including children's programs, movie matinees, a teen mystery game night and author talks.

Summer reading goals include:

- Helping children and teens maintain their reading skills through the summer
- Providing programs that allow readers of all ages to socialize while continuing to use the library.
- Providing an opportunity for adults to be role models as readers

### OTHER ALTERNATIVES CONSIDERED

None

### CITY COUNCIL GOALS

N/A

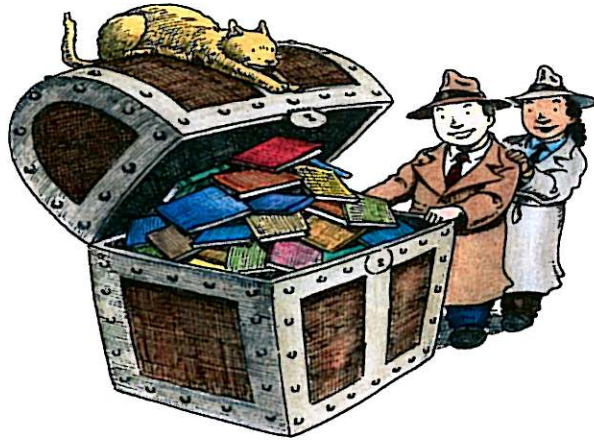
### ATTACHMENT LIST

Powerpoint presentation.

### FISCAL NOTES

N/A

# 2007 Summer Reading Program @ Tigard Public Library

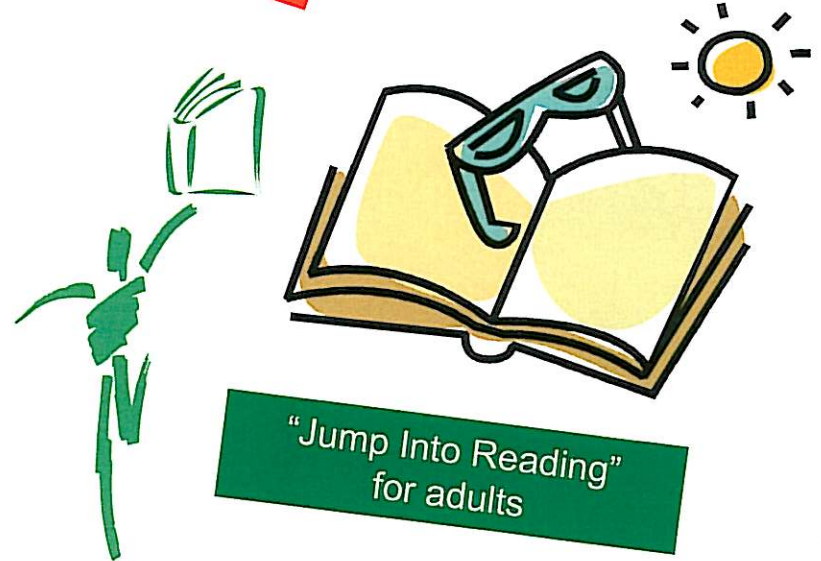


**Get a Clue**

@ YOUR  
LIBRARY

For babies through  
5<sup>th</sup> graders

"You Never Know" for  
6<sup>th</sup>-12<sup>th</sup> graders



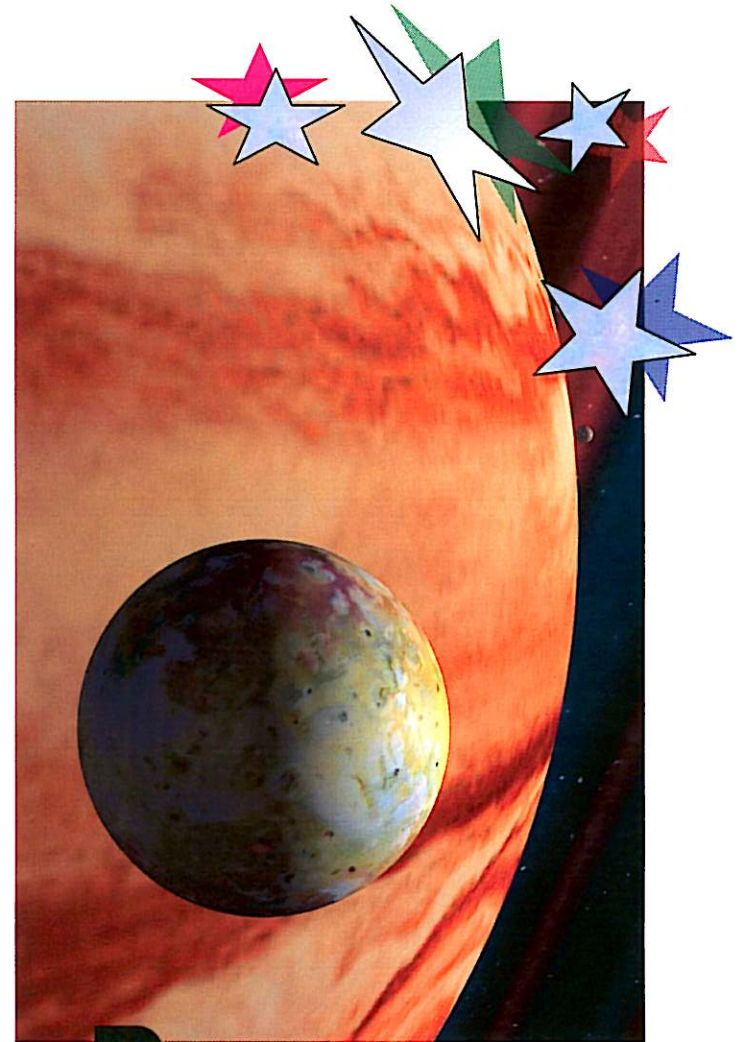
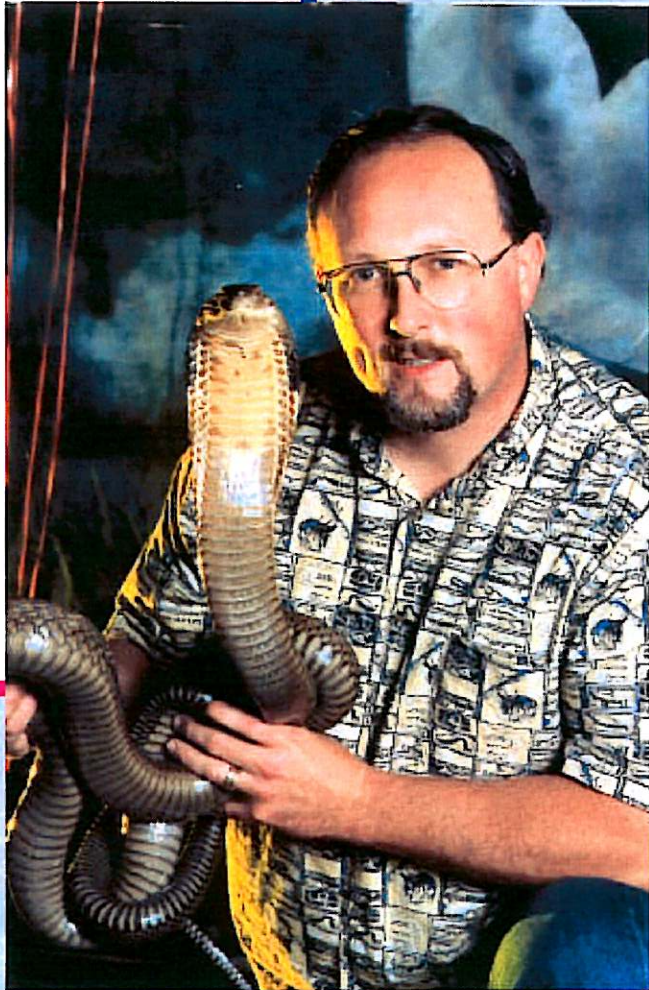
"Jump Into Reading"  
for adults



# **Get a Clue @ YOUR LIBRARY**



## **2007 Children's Program**



# Kids Programs



You Never Know.....

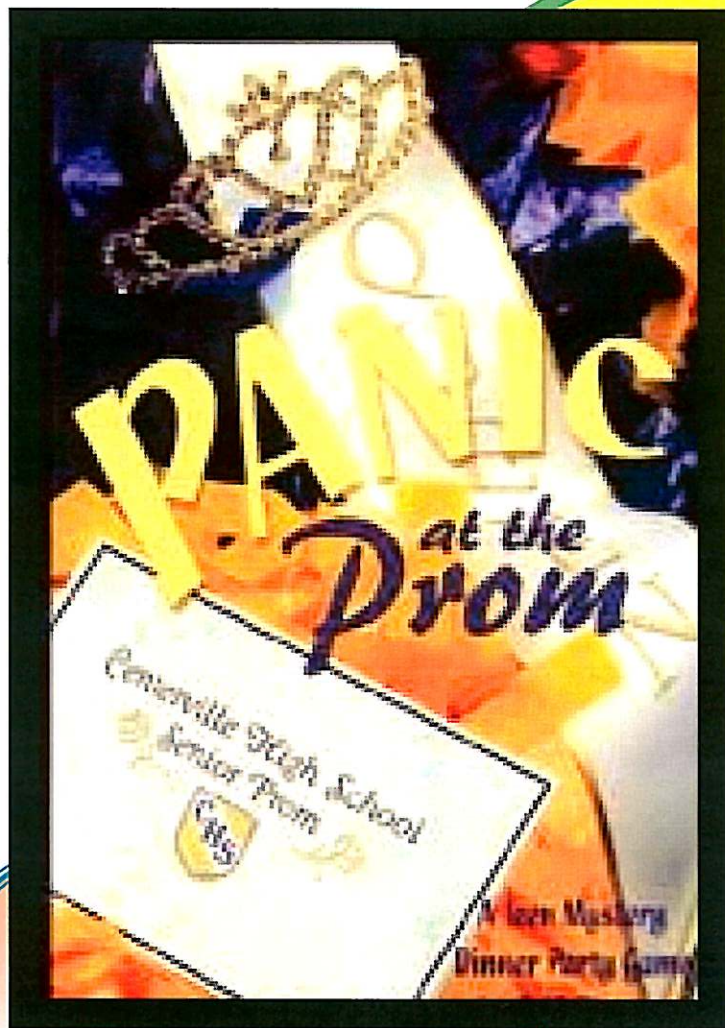


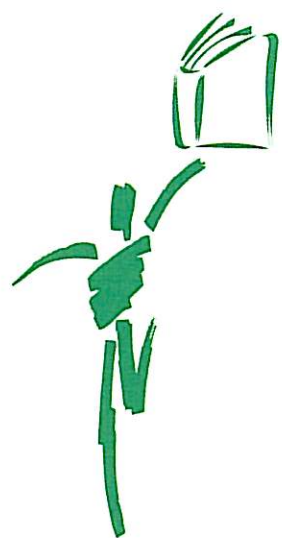
@ Tigard Public Library

2007 Teen Program



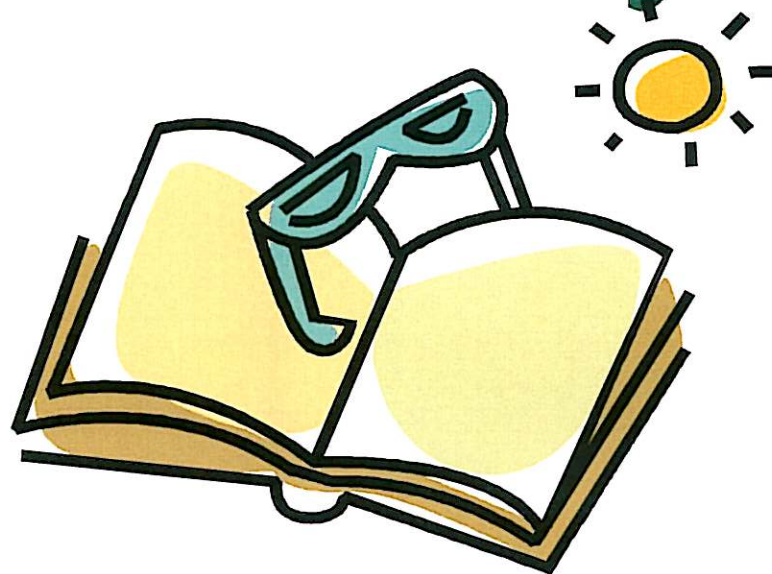
# Teen Programs





# Jump Into Reading!

The 12th Annual  
**Adult Summer  
Reading  
Program**





# Adult Programs





# Volunteers Rock!

**It's good  
for you  
It's good  
for your  
community**

